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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF WASHINGTON,

OF THE

SESSION OF THE LEGISLATIVE ASSEMBLY

BEGUN AND HELD

AT OLYMPIA, THE SEAT OF GOVERNMENT, UPON THE FIRST MONDAY OF DECEMBER, 1865.

Thirteenth Regular Session.

OLYMPIA:
T. F. McELROY, PRINTER.
1865.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

HOUSE OF REPRESENTATIVES,
Monday, December 4, 1865.

This being the day prescribed by law for the meeting of the Legislative Assembly of the Territory of Washington, the members of the House sufficient in number to constitute a quorum being present, were called to order by L. D. Durgin, late Assistant Clerk.

The House then proceeded to a temporary organization.

On motion of Mr. Eldridge,

The Hon. C. Clymer, member elect from the county of King, was elected Speaker *pro tem.*

On motion of Mr. McLane,

Andrew J. Moses was elected Secretary *pro tem.*

On motion of Mr. Hathaway,

Leander Holmes was elected Assistant Clerk *pro tem.*

Mr. McLane placed in nomination the name of E. W. Austin as Sergeant-at-Arms *pro tem.*

A vote being had, the chair being unable to decide, a division of the question was had and lost. There being no selection,

On motion of Mr. Clark,

Samuel Holmes was elected Sergeant-at-Arms *pro tem.*

On motion of Mr. Ford,

J. R. Meeker was elected Door-keeper *pro tem.*

Mr. Ruddell moved that a committee of three be appointed on Credentials.

Mr. Smith moved to amend by enlarging the number to five.

Amendment Accepted.

Motion as amended carried.

The chair appointed on said committee Messrs. Ruddell, Miller of Kitsap, Hathaway, Ford and McAuliff.

On motion of Mr. Tripp,

The House adjourned until to-morrow at 1 o'clock.

HOUSE OF REPRESENTATIVES,
Tuesday, December 5, 1865.

House met pursuant to adjournment.

Mr. Speaker *pro tem.* in the chair.

On motion of Mr. Hathaway,

The Sergeant-at-Arms was dispatched for Chief Clerk *pro tem.*

Clerk in attendance.

Journal of yesterday read and approved.

Mr. Ruddell, Chairman of the Committee on Credentials, submitted the following report:

To the Honorable Speaker of the House of Representatives of the Territory of Washington:

Your Committee to whom were referred the Credentials of members of the House, beg leave to report that they have carefully examined the same, and the rolls in the office of the Secretary of the Territory, and find the following persons entitled to seats:

From the County of Whatcom—E. Eldridge.

From the County of Island—James Buzby.

From the County of Clalm—W. B. Grinnell.

From the Counties of Clalm and Jefferson—A. Briggs.

From the County of Jefferson—H. Morgan and Samuel Weeks.

From the County of Kitsap—H. C. Rowe and A. S. Miller.

From the Counties of King and Snohomish—L. T. B. Andrews.

From the County of King—C. Clymer.

From the Counties of Mason and Chehalis—Giles Ford.

From the County of Thurston—Wm. McLane, G. W. Miller, and S. D. Ruddell.

From the County of Lewis—James Urquhart.

From the Counties of Cowlitz and Wahkiakum—Thompson Dray.

From the County of Pacific—W. C. Doane.

From the County of Clarke—A. G. Tripp, A. Clark, and M. R. Hathaway.

From the County of Walla-walla—J. D. Mix, J. McAuliff, A. G. Lloyd, T. G. Lee and B. N. Sexton.

From the Counties of Stevens and Spokane—H. F. Smith.

From the Counties of Walla-walla, Clickitat and Skamania—J. M. Vansickle.

From the County of Pierce—S. McCaw and W. R. Downey.

Your committee further report that they find J. W. Brazee and H. G. Struve each claiming the same seat—the one as Joint Representative from the counties of Clickitat and Skamania; the other as Joint Representative from the counties of Clarke and Clickitat, and recommend that said seat remain unassigned until the facts of the controversy can be investigated by the proper committee of this House.

S. D. RUDDELL,
Chairman.

On motion, the report of the committee was accepted and adopted.

On motion of Mr. Eldridge,

Mr. Porter, Deputy Clerk of U. S. Dist. Court, was invited within the bar and administered the oath of office to the members present.

Mr. Hathaway moved that the House proceed to a permanent organization.

Mr. Briggs moved to adjourn.

Motion lost.

Motion to proceed to an organization carried.

Messrs. Eldridge and Smith were put in nomination for Speaker.

Mr. Smith withdrew his name as a candidate.

On motion of Mr. Miller of Kitsap,

The House proceeded to vote by ballot.

On motion of Mr. Miller of Kitsap,

Messrs. Miller and Urquhart were appointed tellers.

The vote being taken, resulted as follows:

Mr. Eldridge received	17	votes.
Mr. Smith received	3	"
Mr. Ruddell received	1	"
Mr. Miller received	3	"
Whole number of votes cast	24	
Necessary to a choice	13	

Mr. Eldridge having received a majority of all the votes cast, was declared duly elected Speaker of the House.

On motion of Mr. McLane,

Messrs. McCaw, Ford and Tripp were appointed a committee to conduct the Speaker elect to the chair.

Mr. Speaker in the chair.

On motion, the House proceeded to the election of Chief Clerk.

L. D. Durgin was put in nomination.

L. D. Durgin having received a majority of all the votes cast, was declared duly elected Chief Clerk.

On motion, the House proceeded to the election of Assistant Clerk.

Leander Holmes was put in nomination.

Leander Holmes having received all the votes cast, was declared duly elected Assistant Clerk.

On motion, the House proceeded to the election of Sergeant-at-Arms.

Messrs. Frank, Temple and Holmes were put in nomination.

The vote being taken, resulted as follows:

Mr. Frank received	22	votes.
Mr. Temple received	1	vote.
Mr. Holmes received	1	"
Whole number of votes cast	24	
Necessary to a choice	13	

C. Frank having received a majority of all the votes cast was declared duly elected Sergeant-at-Arms.

On motion, the House proceeded to the election of Doorkeeper.

Mr. McCaw moved that J. R. Meeker be declared Doorkeeper by acclamation.

Mr. Miller of Kitsap moved to amend by voting *viva voce*.

Amendment adopted.

The vote being taken, resulted as follows:

Those who voted for Mr. Meeker are—

Messrs. Buzby, Briggs, Weeks, Morgan, Miller of Kitsap, Clymer, Ford, McAuliff, Smith, McCaw, Downey and Doane—12.

Those who voted for Mr. Woodruff are—

Messrs. Grinnell, Andrews, McLane, Miller of Thurston, Ruddell, Dray, Urquhart, Tripp, Clark, Hathaway, Rowe and Mr. Speaker—12.

There being no choice, the House proceeded to second vote, resulting as follows:

Those who voted for Mr. Meeker are—

Messrs. Buzby, Briggs, Weeks, Morgan, Rowe, Miller of

Kitsap, Clymer, Ford, McAuliff, Smith, McCaw, Downey and Doane—13.

Those who voted for Mr. Woodruff are—

Messrs. Grinnell, Andrews, McLane, Miller of Thurston, Ruddell, Dray, Urquhart, Tripp, Clark, Hathaway and Mr. Speaker—11.

J. R. Meeker having received a majority of all the votes cast, was declared duly elected Door-keeper.

On motion, the Sergeant-at-Arms was dispatched to inform the Chief Clerk of his election, and request his presence.

On motion of Mr. McCaw,

The House took a recess of fifteen minutes.

House re-assembled.

Mr. Speaker in the chair.

On motion of Mr. Ruddell,

Mr. Porter, Dept. Clerk of U. S. District Court, was invited within the bar and administered the oath of office to the officers elect.

On motion of Mr. Grennell,

The Sergeant-at-Arms was instructed to request the Secretary of the Territory to furnish a clock for the use of the House.

On motion of Mr. McCaw,

The Rules and Orders of the last session were temporarily adopted for the government of the House.

On motion of Mr. Hathaway,

The House adjourned until 10 o'clock A. M. to-morrow.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, December 6, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, Sexton and Vansyckle.

On motion of Mr. Ruddell,

Rev. Mr. Stratton was invited to open the House with prayer.

Journal of yesterday read, amended and approved.

On motion of Mr. McLane,

The House resolved itself into a Committee of the Whole to consider the contested seats.

After some time spent therein, the committee rose and reported progress.

Mr. Speaker in the chair.

Mr. Briggs moved to adjourn.

Motion lost.

Mr. McLane, chairman of the Committee of the Whole, reported as follows:

MR. SPEAKER—

Your Committee of the Whole on contested seats, have had the same under consideration, and have instructed me to report that they recommend that Mr. Struve be admitted to the contested seat.

WILLIAM McLANE,
Chairman.

On motion of Mr. Ruddell,

The report was received and the committee discharged.

The following message was received from the Council by their clerk:

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council has permanently organized by the election of the following officers:

Hon. H. K. HINES, *President;*
N. S. PORTER, *Chief Clerk;*
CHARLES A. WHITE, *Assistant Clerk;*
JOHN V. YANTIS, *Sergeant-at-arms;*
J. D. MABIE, *Door-keeper;*

and that they will be ready for business on Friday next at 11 o'clock.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Clymer,

The House adjourned until Friday next at 10 o'clock.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December 8, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart, and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, Sexton and Vansickle.

On motion of Mr. McAuliff,

Rev. Mr. Stratton opened the House with prayer.

On motion of Mr. Ruddell,

Rev. Mr. Stratton was elected Chaplain of the House.

Journal of Wednesday read, amended and approved.

Mr. McCaw, of Pierce, introduced the following:

Resolved, That the Sergeant-at-arms be directed to request of the Secretary that he furnish members and officers such number of copies of newspapers to which they are entitled by law.

On motion of Mr. Morgan,

The resolution was adopted.

On motion of Mr. Ford,

The clerk was instructed to inform the Council that the House was permanently organized and ready to proceed to business.

Mr. McCaw, of Pierce, introduced

House Joint Resolution No. 1—Relative to a joint committee to wait upon the Governor.

Resolution read the first time.

On motion of Mr. Andrews,

The rules were suspended and the resolution read second time.

On motion of Mr. Miller of Kitsap,

The rules were further suspended and the resolution read third time and passed.

On motion of Mr. McCaw,

The clerk was instructed to report the passage of the resolution to the Council.

Mr. McLane moved that Mr. Struve be admitted to the contested seat.

Mr. Miller of Kitsap moved that the seat be declared vacant.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clymer, Dray, Miller of Kitsap, Morgan, McCaw, McAuliff, Rowe, Urquhart and Weeks —12.

Those who voted in the negative are—

Messrs. Clark, Doane, Downey, Ford, Grenell, Hathaway, Miller of Thurston, McLane, Ruddell, Smith, Tripp and Mr. Speaker—12.

Motion lost.

The question recurring on the original motion, resulted as follows:

Those who voted in the affirmative are—

Messrs. Buzby, Clark, Doane, Downey, Ford, Grenell, Hathaway, Miller of Thurston, McLane, Ruddell, Smith, Tripp, Weeks and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Clymer, Dray, Miller of Kitsap, Morgan, McCaw, McAuliff, Rowe and Urquhart—10.

Motion carried.

Whereupon Mr. Struve was declared entitled to his seat.

On motion of Mr. Grenell,

Hon. J. J. H. Van Bokkelen, a Notary Public of Washington Territory, administered the oath of office to Hon. H. G. Struve.

Mr. Hathaway, of Clarke, introduced

H. J. R. No. 2—Relative to the election of Public Printer.

Resolution read first time.

On motion of Mr. Clymer,

The rules were suspended and the resolution read second time.

On motion of Mr. McLane,

The resolution was laid upon the table until 11 o'clock tomorrow.

On motion of Mr. Miller of Kitsap,

The hour for meeting was fixed at 10 o'clock, A. M., until otherwise ordered.

The Speaker announced the Standing Committees, as follows:

ELECTIONS:

Messrs. Andrews, Miller of Kitsap, Downey, Dray and Urquhart.

FEDERAL RELATIONS:

Messrs. Grenell, Andrews, Lloyd, Miller of Thurston, and Doane.

WAYS AND MEANS:

Messrs. McAuliff, Clark, Smith, Grenell and Clymer.

JUDICIARY:

Messrs. Struve, Buzby, Ruddell, McCaw and Morgan.

EDUCATION:

Messrs. Hathaway, McAuliff and Ford.

CLAIMS:

Messrs. Ruddell, Rowe, Lee, Hathaway and Weeks.

MILITARY AFFAIRS:

Messrs. Tripp, Ford and Vansickle.

PRINTING:

Messrs. Miller of Thurston, McCaw and Struve.

MEMORIALS:

Messrs. Clymer, McAuliff, Smith, Doane and Grenell.

RULES AND ORDERS:

Messrs. Smith, Buzby, Briggs, Miller of Thurston and Mix.

PUBLIC BUILDINGS AND GROUNDS:

Messrs. Doane, Tripp, McLane, Ruddell and Briggs.

ROADS AND HIGHWAYS:

Messrs. Buzby, Dray, Lloyd, Clark and Morgan.

ENGROSSED BILLS:

Messrs. Miller of Kitsap, Ford and Weeks.

ENROLLED BILLS:

Messrs. Urquhart, Miller of Thurston, and Hathaway.

INDIAN AFFAIRS:

Messrs. McLane, Downey and Struve.

COMMERCE:

Messrs. Weeks, Grenell, Miller of Kitsap, Clymer and Ford.

CORPORATIONS:

Messrs. Andrews, Struve, Downey, Tripp and Grenell.

COUNTIES:

Messrs. McCaw, Clark, Urquhart, Clymer and Rowe.

AGRICULTURE:

Messrs. Briggs, Vansickle, Mix, McCaw and Dray.

LIBRARY:

Messrs. Ford, Clark and Morgan.

MINING:

Messrs. Morgan, Smith, McAuliff, Lee and Miller of Kitsap.

On motion of Mr. Morgan,

Fifty copies of the Standing Committees were ordered to be printed.

Mr. McCaw, of Pierce, introduced

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county.

Bill read first time.

On motion of Mr. Grenell,

The bill was laid on the table.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 2—An act conferring certain powers on the city of Walla-walla.

Bill read first time.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 8, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives that a committee of three, Messrs. Ferguson, Van Bokkelen and Farnsworth, are appointed a committee to act in conjunction with your committee to wait upon the Governor.

N. S. PORTER,
Chief Clerk.

The Speaker appointed Messrs. Andrews, McCaw and McLane committee on the part of the House, to wait upon His Excellency the Governor.

On motion of Mr. McAuliff,

The rules were suspended to take up

H. B. No. 2—An act conferring certain powers upon the city of Walla-walla.

Bill read second time.

On motion of Mr. Struve,

Mr. Brown, of Walla-walla, was invited within the bar to make a statement relative to the bill under debate.

On motion of Mr. McAuliff,

The rules were further suspended and the bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 8, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage of

H. J. R. No. 1—Relative to a joint committee to wait upon the Governor.

N. S. PORTER,
Chief Clerk.

Mr. McCaw, from the committee to wait upon the Governor, stated that the committee had performed their duty, and that His Excellency would be ready on Monday next to meet them in joint convention.

On motion of Mr. Struve,

The hall of the House of Representatives was tendered to Mr. F. P. Foster to deliver an address on mining interests, tomorrow at 2 o'clock.

Mr. McAuliff, of Walla-walla, introduced the following resolution:

Resolved, That the Secretary of the Territory be instructed to procure 50 copies of the statutes of the years 1862–63, for the use of this House.

On motion of Mr. Miller of Kitsap,

The resolution was adopted.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 8, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the introduction and passage of

C. B. No. 1—An act to amend an act entitled an act to in corporate the Middle Cascades Portage Company, passed January 4, 1865.

Also the passage of

H. B. No. 2—An act conferring certain powers on the city of Walla-walla

N. S. PORTER,
Chief Clerk.

Mr. Clymer moved that the printing of this House be placed in the hands of R. H. Hewitt until otherwise ordered.

Mr. Ford moved to amend by inserting the name of John M. Murphy.

Amendment lost.

Motion on original lost.

On motion of Mr. Struve,

The House adjourned until to-morrow at 10 o'clock.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, December 9, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, Sexton and Vansyokle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Clymer presented a petition from citizens of King county, asking the establishment of a ferry on Black river.

On motion of Mr. Andrews,

The petition was referred to the committee on Corporations, with instructions to report by bill.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolld Bills have compared and find correctly enrolled

H. B. No. 2—An act conferring certain powers on the city of Walla-walla.

JAMES URQUHART,
Chairman.

Mr. Andrews, of King, introduced

H. J. M. No. 1—Praying for an appropriation to construct a wagon road from Walla-walla to Seattle.

Memorial read first time.

On motion of Mr. Clymer,

The rules were suspended and the memorial read second time.

On motion of Mr. McCaw,

The memorial was referred to committee on Memorials and ordered printed.

The Speaker gave notice of signing

H. B. No. 2—An act conferring certain powers on the city of Walla-walla.

Mr. Clymer, of King, introduced

H. B. No. 3—An act to establish the southern boundary of King county.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill was read second time.

On motion of Mr. Morgan,

The bill was referred to committee on Counties.

Mr. McLane moved to suspend the rules to take from the table

C. B. No. 1—An act to amend an act entitled an act to incorporate the Middle Cascades Portage Company, passed January 4, 1865.

Motion carried.

Bill read first time.

On motion of Mr. McAuliff,

The rules were suspended and the bill read the second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Judiciary.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 4—An act to authorize William Nix and James Monahan to construct a bridge across Spokane river.

Bill read first time by title.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill read the second time.

On motion of Mr. Grenell,

The bill was referred to committee on Corporations.

H. J. R. No. 2—Relative to the election of Public Printer, was taken from the table, it being the special order of the day.

Resolution read third time.

On the passage of the resolution, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Buzby, Clark, Clymer, Dray, Doane, Ford, Grenell, Hathaway, Miller of Thurston, McCaw, McLane, Ruddell, Smith, Struve, Tripp, Urquhart, Weeks and Mr. Speaker —19.

Those who voted in the negative are—

Messrs. Briggs, Downey, Miller of Kitsap, Morgan, McAuliff and Rowe—6.

So the resolution passed.

Mr. Struve, of Clarke, introduced

H. J. R. No. 3—Relative to a joint convention to receive the Governor's message.

Resolution read first time.

On motion of Mr. Ruddell,

The rules were suspended and the resolution read second time.

On motion of Mr. McLane,

The rules were further suspended and the resolution read third time and passed.

On motion of Mr. Ruddell,

The clerk was instructed to report the passage of the resolution to the Council.

Mr. Miller, of Kitsap, introduced

H. B. No. 5—An act to locate the county seat of Kitsap county.

Bill read first time.

On motion of Mr. McAuliff,

The rules were suspended and the bill was read second time.

On motion of Mr. Morgan,

The bill was laid on the table and ordered printed.

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county, was taken from the table.

On motion of Mr. Ford,

The bill was referred to committee on Claims.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

C. B. No. 1—An act to amend an act entitled an act incorporating the Middle Cascade Portage Company, passed January 14, 1865,

Have had the same under consideration, and beg leave to report it back and recommend the adoption of the subjoined amendments:

Insert in margin of enacting clause, "Sec. 1;" and insert after "Sec. 1," "Sec. 2," as follows: "This act to take effect and be in force from and after its passage."

H. G. STRUVE,
Chairman.

On motion of Mr. Clymer,

The bill was so amended, and committee discharged.

On motion of Mr. Hathaway,

The bill was read a third time, passed and the title agreed to.

On motion of Mr. Clymer,

The clerk was instructed to furnish the printing to R. H. Hewitt until further orders.

On motion of Mr. Ruddell,

The House adjourned until Monday at 10 o'clock.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, December 11, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart, and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, Sexton and Vansickle.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Smith, from the committee on Rules and Orders, made the following report:

MR. SPEAKER—

The committee on Rules and Orders would respectfully report that they have had the same under consideration, and would recommend the adoption of the Rules and Orders of the last session for the government of this House.

H. F. SMITH,
Chairman.

Mr. Andrews, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations, to whom was referred the petition of the citizens of King county praying for the establishment of a ferry, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage.

L. T. B. ANDREWS,
Chairman.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 7—An act to prevent the building of fish-traps in the county of Walla-walla.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read second time.

On motion of Mr. Andrews,

The bill was referred to committee on Counties with instructions to print.

Mr. Miller, of Kitsap, introduced

H. B. No. 8—An act to restrain and license dance houses in the counties of Kitsap and Jefferson.

Bill read a first time by title.

On motion of Mr. Rowe,

The rules were suspended and the bill was read a second time.

On motion of Mr, McCaw,

The bill was referred to committee on Rules and Orders, with instructions to print.

Mr. Tripp, of Clarke, introduced

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver.

Bill read first time.

On motion of Mr. Hathaway,

The rules were suspended and the bill read a second time.

On motion of Mr. Clark,

The bill was referred to the committee on Judiciary, with instructions to print.

Mr. Struve, of Clarke, introduced

H. B. No. 10—An act to prevent the spread of contagious and infectious diseases among domestic animals.

Bill read first time.

On motion of Mr. Grenell,

The rules were suspended and the bill read the second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Agriculture, with instructions to print.

Mr. McCaw, of Pierce, introduced

H. B. No. 11—An act appointing an Enrolling Clerk and providing for his payment.

Bill read first time.

On motion of Mr. Struve,

The rules were suspended and the bill read second time.

On motion of Mr. Weeks,

The bill was referred to committe on Ways and Means, with instructions to print.

Mr. Ruddell, of Thurston, introduced

H. J. R. No. 4—Relative to the Union.

Resolution read the first time.

On motion of Mr. Miller, of Thurston,

The rules were suspended and the resolution read second time.

On motion of Mr. Buzby,

The resolution was laid on the table and ordered printed.

Mr. Struve, of Clarke, introduced the following resolution:

Resolved, That the Sergeant-at-arms request the Secretary of the Territory to furnish a map for the use of the House.

On motion of Mr. Hathaway,

The resolution was adopted.

H. B. No. 6—An act to establish a ferry on Black river, in King county.

Bill read second time.

On motion of Mr. Struve,

The bill was referred to committee on Corporations and ordered printed.

Mr. Ford, of Chehalis and Mason, introduced the following resolution:

Resolved, That a Special committee of five be appointed by the chair to draft a bill apportioning the representation of Washington Territory.

On motion of Mr. Smith,

The resolution was adopted.

The Speaker appointed Messrs. Ford, Smith, Clymer, McLane and Struve said committee.

Mr. Urquhart in the chair.

Mr. Clymer, from the committee on Memorials, reported as follows:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 1—Praying for an appropriation to build a wagon road from Walla-walla to Seattle,

Would report that they have considered the same, and would recommend it be amended by striking out "$50,000" and insert "$20,000" in lieu thereof, and recommend its passage as amended.

C. CLYMER,
Chairman.

On motion of Mr. Miller of Kitsap,

The amendments proposed by the committee were adopted.

On motion of Mr. Briggs,

The memorial was ordered to be printed.

On motion of Mr. McAuliff,

The report of the committee on Rules and Orders was taken up.

On motion of Mr. Struve,

The report was re-committed to the committee on Rules and Orders.

On motion of Mr. Eldridge,

The committee on Rules and Orders were appointed a joint committee to act with like committee on the part of the Council, to report a set of Joint Rules for the government of both Houses.

On motion of Mr. McLane,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, December 12, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart and Weeks.

Absent—Messrs. Dray, Lloyd, Lee, Mix, McCaw, McLane, Sexton and Vansyckle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Struve presented a petition and remonstrance, relative to the granting of a ferry charter, from citizens of Clickitat county.

On motion of Mr. Hathaway,

The petition and remonstrance were referred to the committee on Corporations, with instructions to report by bill or otherwise.

Mr. McAuliff, from the committee on Ways and Means, reported as follows:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred H. B. No. 11—An act appointing an Enrolling Clerk and providing for his payment,

Have had the same under consideration and direct me to report that the blank be filled with the name of "Francis Henry," and recommend its passage as amended.

JAMES McAULIFF,
Chairman.

On motion of Mr. Weeks,

Report received and laid on the table.

Mr. Ruddell, from the committee on Claims, reported as follows:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. J. M. No. 1—Praying for an appropriation to construct a wagon road from Walla-walla to Seattle,

Have had the same under consideration and direct me to report the same back and recommend that it be indefinitely postponed.

S. D. RUDDELL,
Chairman.

On motion of Mr. Ford,

The report was laid on the table and made the special order of the day, Monday the 18th inst.

Mr. Andrews, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county,

Have had the same under consideration, and have directed me to report it back and recommend its passage.

L. T. B. ANDREWS,
Chairman.

Mr. Smith, from the committee on Rules and Orders, made the following report:

MR. SPEAKER—

The committee on Rules and Orders, to whom was re-committed the Rules and Orders, have again had the same under consideration, and directed me to recommend the adoption of the previous report.

H. F. SMITH,
Chairman.

On motion of Mr. McLane,

The report was adopted.

Mr. Struve, of Clarke, introduced

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries, and other societies for benevolent, temperance, charitable and scientific purposes.

Bill read first time.

On motion of Mr. McAuliff,

The bill was laid on the table and ordered printed.

Mr. Struve, of Clarke, introduced

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes.

Bill read first time.

On motion of Mr. Briggs,

The bill was laid on the table and ordered printed.

Mr. Struve, of Clarke, introduced

H. J. M. No. 2—Relative to the establishment of an agricultural college.

Memorial read first time by title.

On motion of Mr. Miller of Kitsap,

Memorial ordered to be printed.

Mr. Miller, of Thurston, introduced

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company.

Bill read first time.

On motion of Mr. McAuliff,

The rules were suspended and the bill read the second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Mines and Mining.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 12, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of

C. J. R. No. 1—In relation to, biennial sessions of the Legislative Assembly.

C. J. R. No. 2—Relative to the removal of the Custom House from Port Angeles to Port Townsend.

C. B. No. 2—An act to incorporate the Klickitat Portage Company.

Also that the President has signed

H. B. No. 2—An act conferring certain powers upon the city of Walla-walla.

N. S. PORTER,
Chief Clerk.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla.

Bill read first time.

On motion of Mr. Miller of Thurston,

The bill was laid on the table and ordered printed.

Mr. Miller, of Kitsap, introduced

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson."

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read second time.

On motion of Mr. Smith,

The bill was referred to committee on Roads and Highways.

Mr. Smith, from the committee on Rules and Orders, made the following report:

MR. SPEAKER—

Your committee on Rules and Orders, to whom was referred

H. B. No. 8—An act to restrain and license dance houses in the counties of Kitsap and Jefferson,

Have had the same under consideration, and direct me to report the same back to the House and recommend it be referred

to the delegation from Kitsap county, with instructions to report a new bill.

H. F. SMITH,
Chairman.

On motion of Mr. Andrews,

H. J. M. No. 1—Praying for an appropriation to build a wagon road from Walla-walla to Seattle, was ordered printed.

Mr. Clymer in the chair.

Mr. Smith, of Stevens, introduced

H. J. M. No. 3—Praying the establishment of a post route from Helena, Montana, to Walla-walla.

Memorial read first time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the memorial read second time.

On motion of Mr. Grenell,

The memorial was ordered to be printed.

Mr. Speaker in the chair.

On motion of Mr. Clymer,

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county, was taken up.

Bill read third time, passed and title agreed to.

Mr. Ruddell in the chair.

On motion of Mr. McCaw,

H. J. R. No. 4—Relative to the Union, was taken up.

Mr. Miller, of Kitsap, offered the following amendment:

Resolved, That we heartily approve the administration of President Johnson in his reconstruction policy.

Mr. Grenell moved the following amendment:

That in the opinion of this body, President Johnson in his reconstruction policy is actuated by the highest motives of patriotism and justice.

Amendment adopted.

On motion of Mr. Ruddell,

His Excellency Governor Pickering, members of the Council, and other Territorial officers, were invited to take seats within the bar.

On motion of Mr. Clark,

His Excellency Governor Pickering was invited to, and did address the House upon the resolution under debate.

Mr. Speaker in the chair.

The resolutions were now placed on their final passage, and passed unanimously under a call of the ayes and noes.

On motion of Mr. Clymer,

Messrs. McAuliff and Morgan were added to the apportionment committee.

On motion of Mr. Briggs,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, December 13, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart, and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, Sexton and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read, amended and approved.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties to whom was referred

H. B. No. 7—An act to prevent the building of fish-traps in the county of Walla-walla,

Have considered the same, and instructed me to report the same back with the following amendments:

Insert "in the streams;" amend first line, after the word "be," by inserting "so;" in the second line insert "and its passage," and recommend its passage as amended.

SAMUEL McCAW,
Chairman.

Mr. Buzby, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties," approved January 14, 1865, except in the county of Jefferson,

Have had the same under consideration, and have instructed me to report the same back with the accompanying substitute, and recommend its passage.

JAMES BUZBY,
Chairman.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 13, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the concurrence on the part of the Council to House amendments to

C. B. No. 1—An act to amend an act entitled an act incorporating the Middle Cascade Portage Company, passed January 14, 1865.

N. S. PORTER,
Chief Clerk.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver,

Beg leave to report that they have considered the same, and recommend its passage without amendments.

H. G. STRUVE,
Chairman.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. No. 3—An act to establish the southern boundary of King county,

Have had the same under consideration, and a majority report the same back and recommend its passage.

JAMES URQUHART,
C. CLYMER,
ABNER CLARK,
H. C. ROWE,
Majority of the Committee.

The minority recommend that the 5th standard parallel be made the boundary line between the counties of Pierce and King.

SAMUEL McCAW,
Chairman.

On motion of Mr. Struve,

The reports were received and laid on the table.

Mr. Miller, of Kitsap, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee, to whom was referred

H. B. No. 8—An act to restrain and license public dance houses in the counties of Kitsap and Jefferson,

With instructions to report a new bill, have performed that

duty, and report the accompanying bill, and ask to be discharged from further consideration of the subject.

A. S. MILLER,
Chairman.

Mr. Dray, of Cowlitz and Wahkiakum, introduced

H. B. No. 18—An act to locate a Territorial Road from Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county.

Bill read first time.

On motion of Mr. Rowe,

The rules were suspended and the bill read the second time.

On motion of Mr. McCaw,

The bill was referred to committe on Ways and Means, with instructions to print.

Mr. Hathaway, of Clarke, introduced

H. B. No. 19—An act to amend an act entitled an act to authorize Willis Powell and Thomas Powell to construct and keep a Ferry on the Cathapoodle river, passed January 11, 1865.

Bill read first time.

On motion of Mr. Struve,

The rules were suspended and the bill was read second time.

On motion of Mr. Hathaway,

The bill was referred to committee on Corporations and ordered printed.

Mr. Struve, of Clarke, introduced

H. B. No. 20—An act relating to Witnesses and Evidence.

Bill read first time.

On motion of Mr. Buzby,

The rules were suspended and the bill was read a second time.

On motion of Mr. Grenell,

The bill was referred to the committee on Judiciary, with instructions to print.

Mr. McAuliff moved to take up, with the report of the committee thereon,

H. B. No. 11—An act appointing an Enrolling Clerk and providing for his payment.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 13, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council has passed

H. J. R. No. 4—Relative to the Union, with amendments.

N. S. PORTER,
Chief Clerk.

Mr. Miller of Kitsap moved the adoption of the report.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Doane, Downey, Miller of Kitsap, Morgan, McCaw, McAuliff and Rowe—9.

Those who voted in the negative are—

Messrs. Andrews, Clark, Clymer, Dray, Ford, Grenell, Hathaway, Miller of Thurston, McLane, Ruddell, Struve, Tripp, Urquhart, Weeks and Mr. Speaker—15.

Motion lost.

On motion of Mr. McLane,

The House resolved itself into committee of the Whole to consider

H. B. No. 11—An act appointing an Enrolling Clerk, and providing for payment for his services.

Mr. McLane in the chair.

After some time spent therein, the committee rose.

Mr. Speaker in the chair.

Mr. McLane, chairman of committee of the Whole, reported progress and asked to be discharged.

On motion of Mr. Clymer,

Report adopted and committee discharged.

On motion of Mr. Struve,

H. B. No. 11—An act appointing an Enrolling Clerk and providing payment for his services, was referred to the standing committee on Enrolled Bills, with instructions to confer with like committee on the part of the Council, and report the name of a suitable person to fill the blank of said bill, and report to-morrow.

On motion of Mr. McAuliff,

H. B. No. 17—An act to restrain and license public dance houses in the counties of Kitsap and Jefferson, was taken up.

On motion of Mr. Andrews,

The report of the committee on said bill was adopted, and the bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read second time.

On motion of Mr. Miller of Kitsap,

Bill referred to committee on Ways and Means with instructions to print.

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver, was taken up with the report of the committee thereon.

Bill read third time, passed and title agreed to.

On motion of Mr. McAuliff,

H. B. No. 7—An act to prevent the building of fish-traps in the county of Walla-walla, with the report of the committee thereon.

On motion of Mr. Morgan,

The report of the committee was adopted.

On motion of Mr. Hathaway,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, December 14, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart, and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, Sexton and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Andrews, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

H. B. No. 16—An act to amend an act entitled "an act to authorize Willis Powell and Thomas Powell to keep a ferry on the Cathapoodle river," passed January 11, 1865,

Have had the same under consideration, and have directed me to report it back and recommend its passage.

L. T. B. ANDREWS,
Chairman.

On motion of Mr. Hathaway,

The report was received and the committee discharged from further consideration of the bill.

Mr. McAuliff, from the committee on Ways and Means, reported as follows:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred

H. B. No. 17—An act to restrain and license dance houses in the Territory of Washington,

Have had the same under consideration, and direct me to report the same back and recommend its passage with the following

amendment: that the counties of Stevens and Walla-walla be excluded from the bill.

JAMES McAULIFF,
Chairman.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills, to whom was referred

H. B. No. 11—An act appointing an Enrolling Clerk and providing payment for his services, according to instructions, have conferred with the Council committee, and have instructed me to report F. P. Foster as Enrolling Clerk.

JAMES URQUHART,
Chairman.

On motion of Mr. Weeks,

Report received and committee discharged from the further consideration of the subject.

Mr. Buzby, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 18—An act to locate a Territorial road from Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county,

Have had the same under consideration, and have instructed me to recommend its passage without amendment.

JAMES BUZBY,
Chairman.

On motion of Mr. Dray,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. Miller of Thurston,

The rules were suspended to take up the report of the committee on

H. B. No. 11—An act appointing an Enrolling Clerk and providing payment for his services.

On motion of Mr. Ruddell,

The report of the committee was adopted.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 14, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the introduction of

C. B. No. 3—An act to incorporate the Snohomish City Mill Company.

C. B. No. 4.—An act to incorporate the Union Cemetery of Thurston county.

Also the introduction and passage of

C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103.

Also the passage of

H. B. No. 5—An act to locate the county seat of Kitsap county.

Also passage of

C. J. R. No. 1—In relation to biennial sessions of the Legislative Assembly.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Clark,

The bill was amended by striking out "five" and inserting "four."

On motion of Mr. Andrews,

The rules were suspended and the bill read third time, passed and the title agreed to.

On motion of Mr. McLane,

The clerk was instructed to report the passage of the bill to the Council.

Mr. Sexton, of Walla-walla, appeared in his seat.

On motion of Mr. Briggs,

Hon. J. J. H. Van Bokkelen was invited to administer the the oath of office to Mr. Sexton.

Mr. Ford, of Chehalis and Mason, introduced

H. B. No. 21—An act allowing the tax-payers of Chehalis, residing at Gray's Harbor, to perform their road labor on the tide-water in removing obstructions and staking out the channel of said harbor.

Bill read first time by title.

On motion of Mr. McCaw,

The rules were suspended and the bill read the second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Roads and Highways.

Mr. Miller, of Thurston, introduced

H. B. No. 22—An act authorizing S. W. Percival to build a wharf in the town of Olympia.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read second time.

On motion of Mr. McLane,

The bill was referred to committee on Public Grounds and Buildings.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 14, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage of

H. J. R. No. 2—Relative to the election of Public Printer, with amendments.

Also passage of

H. B. No. 11—An act appointing an Enrolling Clerk and providing payment for his services, with amendments.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Andrews,

Standing committees were authorized to print all unprinted matter coming into their hands, unless otherwise ordered.

Mr. Miller, of Kitsap, introduced

H. B. No. 23—An act to repeal an act entitled an act to regulate the fees of County Auditor and Probate Judge of the county of Kitsap.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill read the second time.

On motion of Mr. Clymer,

The bill was referred to committee on Judiciary.

On motion of Mr. Clymer,

H. B. No. 3—An act to establish the southern boundary of King county, was taken up with report of committee thereon.

Mr. Clymer moved the adoption of the majority report.

Motion carried.

Bill read second time.

Mr. McCaw moved to amend by making the 5th standard parallel the line to Stuck river, thence up said channel to White river, thence up said channel of White river.

On motion of Mr. Clymer,

The amendment was laid upon the table.

On motion of Mr. Miller of Kitsap,

The bill was laid upon the table and made the special order for Monday the 18th inst.

On motion of Mr. Grenell,

The rules were suspended to take from the table

H. J. R. No. 2—Relative to the election of Public Printer.

The question being, will the House concur? was lost.

On motion of Mr. Ruddell,

The clerk was instructed to inform the Council of the non-concurrence of the House.

On motion of Mr. Urquhart,

H. B. No. 11—An act appointing an Enrolling Clerk and providing payment for his services, with Council amendment, was taken up.

On motion of Mr. Hathaway,

The House refused to concur.

Mr. Briggs moved to reconsider the vote by which the House refused to concur.

Motion lost.

H. B. No. 18—An act to locate a Territorial road from Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county,

On motion of Mr. Dray,

Bill read third time, passed and title agreed to.

On motion of Mr. Miller of Kitsap,

H. B. No. 17—An act to restrain and license dance houses in the Territory of Washington, with the report of the committee thereon, was taken up.

On motion of Mr. Clark,

The bill was referred to committee on Judiciary.

On motion of Mr. Ruddell,

H. J. R. No. 4—Relative to the Union, with amendments by the Council, was taken up.

On motion of Mr. Clymer,

The House concurred in Council amendments to the resolutions.

C. J. R. No. 1—In relation to biennial sessions of the Legislative Assembly, was take from the table.

Resolution read second time by title.

On motion of Mr. Briggs,

Resolution was referred to committee on Memorials.

C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103, was taken up.

On motion of Mr. Buzby,

The resolution was made the special order of the day for Tuesday the 19th inst.

On motion of Mr. McAuliff,

H. B. No. 7—An act to prevent the building of fish-traps in the county of Walla-walla, was taken up.

Bill read third time, passed and title agreed to.

On motion of Mr. Miller of Kitsap,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December 15, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Sexton, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix and Vansickle.

Prayer by the Chaplain.

On motion of Mr. Struve,

The reading of the journal of yesterday was dispensed with.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 17—An act to restrain and license public dance houses in the Territory of Washington,

Beg leave to report that they have considered the same, and recommend its passage with amendments.

All of which is respectfully submitted.

H. G. STRUVE,
Chairman.

On motion of Mr. Hathaway,

The report was received and the committee discharged from further consideration of the bill.

Mr. Clymer, from the committee on Memorials, reported as follows:

MR. SPEAKER—

Your committee on Memorials to whom was referred

C. J. R. No. 1—Relative to biennial sessions of the Legislative Assembly,

Have had the same under consideration and have directed me to report it back with the following amendments:

Strike out that part of the resolution relative to an increase of members.

Strike out "45" and insert "50" in lieu thereof.

G. CLYMER,
Chairman.

On motion of Mr. Grenell,

Report received and committee discharged from the further consideration of the subject.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 23—An act to repeal an act entitled an act to regulate the fees of County Auditor and Probate Judge of the county of Kitsap,

Beg leave to report that they have considered the same, and recommend its passage without amendment.

H. G. STRUVE,
Chairman.

On motion of Mr. Weeks,

Report received and committee discharged from further consideration of the bill.

Mr. Buzby, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 21—An act allowing the tax-payers of Chehalis, residing at Gray's Harbor, to perform their road labor on the tide-water in removing obstructions and staking out the channel of said harbor,

Have had the same under consideration, and have instructed me to recommend its passage without amendment.

JAMES BUZBY,
Chairman.

On motion of Mr. Ford,

Report received and committee discharged from further consideration of the bill.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber and wood down Mill creek to Walla-walla city, in Walla-walla county.

Bill read first time.

On motion of Mr. Morgan,

The bill was laid on the table and ordered printed.

Mr. Ford, of Chehalis and Mason, introduced

H. J. M. No. 4—Relative to a light house at Gray's Harbor and buoying out the harbor and bar of the same.

Memorial read first time.

On motion of Mr. Andrews,

The memorial was laid on the table and ordered printed.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 15, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council has passed

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county, with amendments.

C. J. R. No. 2—Relative to the removal of the Custom-house from Port Angeles to Port Townsend.

C. B. No. 2—An act to incorporate the Klickitat Portage Company.

N. S. PORTER,
Chief Clerk.

Mr. Clark, of Clarke, introduced

H. B. No. 25—An act to regulate marriages.

Bill read first time.

On motion of Mr. Andrews,

The bill was laid on the table and ordered printed.

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes.

Bill read second time.

On motion of Mr. McLane,

The bill was referred to committee on Corporations.

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla.

Bill read second time.

On motion of Mr. Briggs,

The bill was referred to committee on Corporations.

H. B. No. 21—An act allowing the tax-payers of Chehalis county residing at Gray's Harbor, to perform their road labor on the tide water in removing obstructions and staking out the channel of said Harbor, was taken up with the report of the committee thereon.

On motion of Mr. Miller of Kitsap,

The report of the committee was adopted.

Bill read third time, passed and title agreed to.

C. J. R. No. 1—Relative to biennial sessions of the Legislative Assembly, was taken up with the report of committee thereon.

On motion of Mr. McLane,

The bill was referred to committee on Federal Relations, with instructions to report to-morrow.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 15, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives that the Council did not adhere to Council amendments to

H. J. R. No. 2—Relative to the election of Public Printer, but substituted other amendments.

N. S. PORTER,
Chief Clerk.

Mr. Miller, of Kitsap, moved that the House take up

H. J. R. No. 2—Relative to the election of Public Printer, as amended by the Council.

Motion carried.

The question being, "will the House concur in Council amendments?" it was carried.

On motion of Mr. Ruddell,

The clerk was instructed to inform the Council of the concurrence of the House.

Mr. Miller of Kitsap moved to suspend the rules to take up

C. J. R. No. 2—Relative to the removal of the Custom House from Port Angeles to Port Townsend.

Resolution read a first time.

On motion of Mr. Rowe,

The rules were suspended and the resolution read second time.

On motion of Mr. McClaw,

The resolution was referred to committee on Commerce.

H. B. No. 17—An act to restrain and license public dance houses in the Territory of Washington, with the report of the committee thereon, was taken up.

Mr. Urquhart moved that the county of Lewis be added after Thurston.

Motion carried.

On motion of Mr. Miller of Kitsap,

The report of the committee was adopted.

Bill read third time, passed and title agreed to.

H. B. No. 23—An act to repeal an act entitled "an act to regulate the fees of county auditor and probate judge of Kitsap county," with the report of the committee thereon, was taken from the table.

On motion of Mr. McAuliff,

The report of the committee was adopted.

Bill read third time, passed and title agreed to.

H. J. M. No. 1—Praying for an appropriation to build a wagon road from Walla-walla to Seattle.

Memorial read second time.

On motion of Mr. Clymer,

The rules were suspended and the memorial read the third time and passed.

H. B. No. 19—An act to amend an act entitled "an act to authorize Willis Powell and Thomas Powell to keep a ferry on the Cathapoodle river," passed January 11, 1865, was taken from the table.

Bill read third time, passed and title agreed to.

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county, was taken up with the Council amendments.

On motion of Mr. Clymer,

The House concurred in said amendments.

Mr. Struve moved to adjourn.

Motion lost.

C. B. No. 2—An act to incorporate the Klickitat Portage Company.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read second time.

On motion of Mr. Hathaway,

The bill was referred to committee on Corporations.

On motion of Mr. Struve,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, December 16, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McAuliff, McLane, McCaw, Ruddell, Rowe, Smith, Sexton, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, and Vansyckle.

Prayer by the Chaplain.

Journal of Thursday read and approved.

Journal of yesterday read and approved.

Mr. Grenell, from the committee on Federal Relations, submitted the following report:

MR. SPEAKER—

Your committee on Federal Relations, to whom was referred

C. J. R. No. 1—Relative to biennial sessions of the Legislative Assembly,

Have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

W. B. GRENELL,
Chairman.

On motion of Mr. McAuliff,

Report received, laid on the table, and the committee discharged.

C. J. R. No. 1—In relation to biennial sessions of the Legislative Assembly, was take from the table.

On motion of Mr. McAuliff,

The resolution was ordered to be printed.

Mr. Weeks, from the committee on Commerce, submitted the following report:

MR. SPEAKER—

Your committee on Commerce, to whom was referred

C. J. R. No. 2—Relative to the removal of the Custom-house from Port Angeles to Port Townsend,

Have had the same under consideration, and beg leave to report it back and recommend that it do pass.

SAMUEL WEEKS,
A. S. MILLER,
GILES FORD,
C. CLYMER.

Mr. Grenell submitted the follwing minority report:

MR. SPEAKER—

Your committee to whom was referred

C. J. R. No. 2—Relative to the removal of the Custom House from Port Angeles to Port Townsend,

Instruct me to report the same back and recommend that it be indefinitely postponed, for the following reasons:

1st. The question at issue is a revenue question, in which the United States is interested, and the proof necessary to convince your committee that the passage of such measure is advisable, is not within our reach.

2d. No proof that commerce suffers by the present location has been presented for the consideration of your committee, but on the contrary it is evident that from the location of said port that nineteen [redacted]tieths of all the tonage trading in this district, is forced to come by the mouth of Port Angeles Bay.

3d. Congress has already been presented with two memorials relative to the same, and after thoroughly investigating the matter, have refused to comply with the wishes of those who sought the removal.

All of which is respectfully submitted.

W. B. GRENELL.

On motion of Mr. McAuliff,

The reports were received and ordered printed.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 16, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage in the Council of

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver.

Also of the introduction of

C. B. No. 5—An act to creat the Vancouver Quartz Mining District, and regulate the holding of claims therein.

N. S. PORTER,
Chief Clerk.

Mr. Sexton, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla,

Have had the same under consideration, and have directed me to report it back and recommend its passage.

B. N. SEXTON,
Chairman.

On motion of Mr. Miller of Kitsap,

The report was received and the committee discharged from further consideration of the bill.

Mr. Sexton, from the committee on Corporations, reported as follows:

MR. SPEAKER—

Your committee on Corporations to whom was referred

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes,

Beg leave to report that they have considered the same, and recommend its passage without amendment.

B. N. SEXTON,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged from further consideration of the bill.

Mr. Sexton, chairman of committee on Corporations, submitted the following report:

MR. SPEAKER—

Your chairman on Corporations, to whom was referred the petition and remonstrance relative to the construction of a bridge in Klickitat county, have considered the same, and instructed me to report the accompanying bill and recommend that it do pass.

B. N. SEXTON,
Chairman.

On motion of Mr. Briggs,

Report received and committee discharged from the further consideration of the subject.

Mr. Clymer, of King, introduced

H. B. No. 27—An act for the relief of Edmund Carr for services as University Commissioner.

Bill read first time.

On motion of Mr. Andrews,

The rules were suspended and the bill was read second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Claims.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 28—An act relative to landlord and tenant.

Bill read first time.

On motion of Mr. Morgan,

The bill was laid on the table and ordered printed.

Mr. Smith, of Stevens, introduced

H. B. 29—An act to amend "an act in relation to prosecuting attorney," passed January 29, 1863.

Bill read first time.

On motion of Mr. Weeks,

The rules were suspended and the bill was read second time.

On motion of Mr. McLane,

The bill was referred to committe on Elections.

Mr. McCaw, of Pierce, introduced

H. B. No. 30—An act to provide for the payment of costs and expenses for keeping and maintaing the insane and idiotic persons of W. T.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill read the second time.

On motion of Mr. Ford,

The bill was referred to committee on Claims.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 16, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage of

H. J. M. No. 1—Praying for an appropriation to build a wagon road from Walla-walla to Seattle.

H. B. No. 18—An act to locate a Territorial Road from Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county.

H. B. No. 21—An act allowing the tax-payers of Chehalis, residing at Gray's Harbor, to perform their road labor on the tide-water in removing obstructions and staking out the channel of said harbor,

H. B. No. 23—An act to repeal an act entitled an act to regulate the fees of County Auditor and Probate Judge of the county of Kitsap.

Also that the Council did not adhere to Council amendments to

H. B. No. 11—An act appointing an Enrolling Clerk and providing payment for his services, but passed the original bill.

Also that the Council is now ready to go into joint convention for the election of Territorial Printer.

N. S. PORTER,
Chief Clerk.

H. B. No. 26—An act to authorize I. S. McFarland, Henry Marlin, their associates, heirs and assigns to build a bridge across the Columbia river, taken up with the report of the committee thereon.

Bill read first time.

On motion of Mr. Morgan,

The bill was laid on the table and ordered printed.

On motion of Mr. Ruddell,

The Clerk was instructed to inform the Council that the House were now ready to receive them in joint convention, as per resolution.

On motion of Mr. Clymer,

The House took a recess for fifteen minutes.

House re-assembled.

The presence of the Honorable the Council announced.

President of the Council presiding.

Roll called. All qualified members present.

Mr. President stated the object of the convention.

On motion of Mr. Sexton,

The convention proceeded to the election of Public Printer.

Mr. Hathaway moved that two tellers be appointed.

Motion carried.

The chair appointed Messrs. Ford and Urquhart.

The convention then proceeded to voting by ballot, with the following result:

R. H. Hewitt received	18	votes.
John M. Murphy received	7	"
Mr. Smith received	5	"
Mr. Brown received	1	"
Whole number votes cast,	31	
Necessary to a choice,	16	

R. H. Hewitt having received a majority of all the votes cast, was declared duly elected Territorial Printer.

The business for which the joint convention assembled having been effected, the Hon. the President declared the convention adjourned, and the Council retired to their Chamber.

On motion of Mr. Struve,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, December 18, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Sexton, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix and Vansickle.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Struve, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations, to whom was referred

C. B. No. 2—An act to incorporate the Klickitat Portage Company,

Beg to report that they have considered the same, and that a majority of the committee recommend that the bill do pass without amendment.

H. G. STRUVE,
W. B. GRENELL,
A. G. TRIPP,
W. R. DOWNEY.

On motion of Mr. McCaw,

The report was received and laid on the table.

On motion of Mr. Struve,

The chairman on Corporations was instructed to report to-morrow.

The Speaker announced the receipt of the following communication:

OFFICE PACIFIC TRIBUNE,
Olympia, Dece. 18, 1865.

To the Hon. Speaker and members of the House of Assembly, W. T.:

In compliance with the statue under which I was elected Territorial Printer, I have this day filed with the Secretary of the Territory a good and sufficient bond for the proper performance of that duty, and am now ready to execute the public printing.

I have the honor to be,
Very respectfully,
R. H. HEWITT.

Mr. Ford, chairman of Select committee to report apportionment bill, asked furthe time.

On motion of Mr. Rowe,

Further time was granted.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolld Bills have compared and find correctly enrolled

H. B. No. 5—An act to locate the county seat of Kitsap county.

JAMES URQUHART,
Chairman.

Mr. Clymer, of King, introduced

H. B. No. 31—An act to require notice of application for charters and acts of incorporations.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill read the second time.

On motion of Mr. Grenell,

The bill was referred to committee on Judiciary.

Mr. Smith, of Stevens, introduced

H. B. No. 32—An act to authorize James Lee to establish a ferry on the Columbia river.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Corporations.

Mr. Rowe, of Kitsap, introduced

H. J. R. No. 5—Relative to adjourning over the holidays.

Resolution read first time.

On motion of Mr. Buzby,

The rules were suspended and the resolution read second time.

On motion of Mr. Miller of Kitsap,

The rules were further suspended and the resolution was read third time and passed.

Mr. McAuliff, of Walla-walla, introduced the following resolution:

Resolved, That the several Territorial officers required by law to report to this House, be requested to hand in their reports on or before the 4th day of January, 1866.

On motion of Mr. McCaw,

The resolution was adopted.

Mr. Hathaway, of Clarke, introduced

H. B. No. 33—An act to tax dogs for the protection of sheep and other property.

Bill read first time.

On motion of Mr. Clymer,

The bill was laid on the table and ordered printed.

Mr. Buzby, of Island, introduced

H. B. No. 34—An act in relation to dogs in the counties of Island and Jefferson.

Bill read first time by title.

On motion of Mr. Miller of Kitsap,

The bill was laid on the table and ordered printed.

Mr. Ford, of Chehalis and Mason, introduced

H. J. M. No. 5—Praying for the extension of mail route No. 15402.

Memorial read first time.

On motion of Mr. Urquhart,

The rules were suspended and the memorial read second time.

On motion of Mr. Hathaway,

The memorial was referred to committee on Memorials and ordered printed.

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla, was taken up with the report of the committee thereon.

On motion of Mr. McAuliff,

The report of the committee was adopted.

On motion of Mr. Sexton,

The rules were suspended and the bill read third time, passed and the title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 18, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 6—An act authorizing Charles M. Bradshaw, William Bagley, their heirs and assigns to construct a bridge across Dunginess river.

C. B. No. 7—An act to prevent hogs from running at large in Road District, No. 1, in Jefferson county.

N. S. PORTER,
Chief Clerk.

The Speaker announced that he was about to sign the following:

H. B. No. 5—An act to locate the county seat of Kitsap county.

C. B. No. 1—An act to amend an act entitled an act to incorporate the Middle Cascades Portage Company, passed January 4, 1865.

Mr. Clymer, from the committee on Memorials, reported as follows:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 3—Praying the establishment of a post route from Helena, Montana, to Walla-walla,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

C. CLYMER,
Chairman.

Mr. Doane, from the committee on Public Grounds and Buildings, reported as follows:

MR. SPEAKER—

Your committee on Public Grounds and Buildings, to whom was referred

H. B. No. 22—An act authorizing S. W. Percival to build a wharf in the town of Olympia,

Have considered the same, and would recommend the following amendments:

Insert in Sec. 2, "provided that no addition shall extend below the north line of said street."

W. C. DOANE,
Chairman.

On motion of Mr. Grenell,

The report was received and the committee discharged from further consideration of the bill.

Bill read third time, passed and title agreed to.

Mr. Ruddell, from the committee on Claims, reported as follows:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. B. No. 30—An act to provide for the payment of costs and expenses for keeping and maintaing the insane and idiotic persons of W. T.,

Have had the same under consideration and direct me to report the same back and recommend that the bill do pass.

S. D. RUDDELL,
Chairman.

On motion of Mr. McLane,

The report of the committee was adopted.

Bill read third time, passed and title agreed to.

Mr. Ruddell, from the committee on Claims, submitted the following report:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. B. No. 27—An act for the relief of Edmund Carr for services as University Commissioner,

Have considered the same, and would recommend the following amendment:

Strike out "12" where it occurs, and insert "10" in lieu thereof, and as amended recommend its passage.

S. D. RUDDELL,
Chairman.

On motion of Mr. Clymer,

The report of the committee was adopted.

The bill was read a third time, passed and the title agreed to.

On motion of Mr. Ruddell,

The clerk was instructed to report the passage of the bill to the Council.

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes, was taken up with the report of the committee thereon.

On motion of Mr. Struve,

The report of the committee was adopted.

On motion of Mr. Hathaway,

The rules were suspended and the bill read a third time, passed and the title agreed to.

C. B. No. 7—An act to amend an act to prevent hogs from running at large in Road District No. 1, in Jefferson county, was taken up.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read second time.

On motion of Mr. Briggs,

The rules were further suspended, the bill read third time, passed and title agreed to.

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county, was taken from the table with the report of the committee thereon.

On motion, the report was laid on the table.

On motion of Mr. McLane,

The bill was made the special order for to-morrow.

H. B. No. 3—An act to establish the southern boundary of King county, was taken up.

Bill read second time.

On motion of Mr. Clymer,

The rules were suspended and the bill read third time.

On the passage of the bill, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Grenell, Miller of Thurston, Morgan, McLane, Ruddell, Rowe, Sexton, Struve, Tripp, Urquhart, and Weeks—17.

Those who voted in the negative are—

Messrs. Doane, Downey, Ford, and McCaw—4.

So the bill passed and title agreed to.

On motion of Mr. Andrews,

The House adjourned.

HOUSE OF REPRESENTATIVES,
Tuesday, December 19, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Sexton, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Andrews, chairman of committee on Elections, submitted the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. 29—An act to amend "an act in relation to prosecuting attorney," passed January 29, 1863,

Have considered the same, and recommend that it do pass.

L. T. B. ANDREWS,
Chairman.

Mr. Sexton, chairman of committee on Corporations, asked and obtained further time to report on

C. B. No. 2—An act to incorporate the Klickitat Portage Company.

Mr. McCaw introduced the following resolution:

Resolved, That the Secretary of the Territory be and he is hereby requested to inform this House if the official bond of R. H. Hewitt as Public Printer elect, has been approved by him, and if not approved, to give his reasons why.

On motion of Mr. Struve,

The resolution was adopted.

On motion of Mr. Clymer,

The clerk was instructed to inform the Secretary of the adoption of the resolution.

H. J. M. No. 2—Relative to the establishment of an agricultural college, was taken up.

Memorial read second time.

On motion of Mr. McAuliff,

The memorial was referred to committee on Public Grounds and Buildings.

H. J. M. No. 3—Praying for the establishment of a mail route from Helena, Montana, to Wallula, was taken up.

Memorial read second time.

On motion of Mr. McAuliff,

The rules were suspended and the memorial read the third time and passed.

H. B. No. 29—An act to amend "an act in relation to prosecuting attorneys, with the report of the committee thereon, was taken up.

On motion of Mr. McLane,

The report of the committee was adopted.

Bill read third time, passed and title agreed to.

On motion of Mr. Miller of Kitsap,

The committee on Printing were instructed to ascertain the reason why certain bills were not printed.

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county, was taken up.

Bill read third time, passed and title agreed to.

On motion of Mr. Miller of Kitsap,

Messrs. McCaw and Rowe were added to the apportionment committee.

C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103, was taken up with House substitute.

On motion of Mr. Morgan,

The substitute was adopted.

Resolution read second time by title.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 19, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the introduction of the following:

C. B. No. 9—An act to authorize O. F. Gerrish and H. L. Tibbals and associates to build a wharf at the foot of Taylor street in Port Townsend.

C. B. No. 10—An act to legalize the marriages between James Reynes and Isabella Newton, a Clalm Indian, and William Newton and Isabella Adams, a Clalm Indian.

C. B. No. 11—An ac to provide for the formation of corporotions for certain purposes.

Also the passage of

H. J. R. No. 5—Relative to adjourning over the holidays.

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla.

H. B. No. 30—An act to provide for the payment of the costs and expenses of keeping and maintaining the insane and idiotic persons.

Also that the President has signed

H. B. No. 5—An act to permanently locate and establish the county seat of Kitsap county.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Weeks,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, December 20, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Sexton, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker announced the following communication from the Hon. Secretary of the Territory:

SECRETARY'S OFFICE,
Olympia, Dec. 20, 1865.

HON. EDWARD ELDRIDGE,
Speaker of the House of Representatives:

SIR—I have the honor to acknowledge the receipt of a copy of a resolution passed by the Hon. the House of Representatives, requesting information as to whether the official bond tendered by R. H. Hewitt, as Public Printer elect, has been approved by the Secretary.

Mr. R. H. Hewitt has left with me a bond purporting to be his bond as Territorial Printer. The penal sum named in said bond (which I presume should have been fixed by the Secretary of the Territory, if the act of Jan. 19, 1863, entitled "an act to provide for the public printing and the distribution of the laws and journals," governs in the case), seems to have been fixed by Mr. Hewitt, it certainly was not by me, nor was I asked in regard to such amount.

I have not made any contract with Mr. R. H. Hewitt as to the execution of the public printing, nor am I prepared to do

so until satisfied that he is furnished with the necessary material with which to do said printing.

I am, very respectfully,

Your obedient servant,

ELWOOD EVANS,

Secretary of Washington Territory.

Mr. Clymer, from the committee on Memorials, reported as follows:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 5—Praying for the extension of mail route No. 15402,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

C. CLYMER,

Chairman.

On motion of Mr. Ford,

Report received and committee discharged from the further consideration of the subject.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 31—An act to require notice of application for charters and acts of incorporations,

Have considered the same, and recommend that it do pass without amendment.

H. G. STRUVE,

Chairman.

On motion of Mr. Miller of Kitsap,

Report received and committee discharged from further consideration of the bill.

Mr. Sexton, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

C. B. No. 2—An act to incorporate the Klickitat Portage Company,

Have considered the same, and instructed me to report the bill back and recommend that it do pass with the subjoined amendments.

B. N. SEXTON,
Chairman.

Amend Sec. 8 by striking out the word "be," in second line, and insert "have said road," in lieu thereof.

Insert after the word delay, in 4th line, "in default of which this charter shall be null and void."

Insert at the end of Sec. 8, "and a per capita tax of ten cents on each passenger traveling over said road shall be paid into the Territorial treasury quarterly, the return of which shall be verified by affidavit by the proper officer or agent of said company."

Mr. Miller, of Thurston, introduced

H. J. M. No. 6—Praying for an appropriation to improve the military road leading from Monticello to Fort Steilacoom.

Memorial read first time.

Mr. Struve, of Clarke, introduced

H. B. No. 35—An act to regulate partition fences.

Bill read first time.

On motion of Mr. Hathaway,

The bill was referred to committe on Printing.

Mr. Buzby, of Island, introduced

H. B. No. 36—An act repealing an act entitled "an act to locate and establish a Territorial road from Skagit Head to Deception Pass in Island county."

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Roads and Highways.

Mr. Hathaway, of Clarke, introduced

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company.

Bill read first time.

On motion of Mr. Ruddell,

The bill was laid on the table and ordered printed.

Mr. Dray, of Cowlitz and Wahkiakum, introduced

H. J. M. No. 7—Praying Congress for an appropriation for a road from Cathlamet to Boisfort Prairie.

Memorial read first time.

On motion of Mr. Dray,

The rules were suspended and the memorial read second time.

On motion of Mr. Andrews,

The memorial was referred to committee on Memorials and ordered printed.

Mr. McLane, of Thurston, introduced

H. B. No. 38—An act to amend an act to incorporate the Washington Woolen Manufacturing Company.

Bill read first time.

On motion of Mr. McAuliff,

The rules were suspended and the bill was read second time.

On motion of Mr. Ruddell,

The rules were further suspended, the bill read third time, passed and title agreed to.

Mr. Ford, of Chehalis and Mason, introduced

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company.

Bill read first time.

On motion of Mr. Morgan,

The bill was laid on the table and ordered printed.

Mr. Struve, of Clarke, introduced

H. B. No. 40—An act authorizing a special term of the Supreme Court.

Bill read first time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill read the second time.

On motion of Mr. Struve,

The rules were further suspended and the bill read a third time, passed and the title agreed to.

On motion of Mr. McCaw,

The clerk was instructed to inform the Council of the introduction and passage of House bills No. 38 and 40.

Mr. McCaw, of Pierce, introduced

H. B. No. 41—An act for the protection of sheep and wool growers.

Bill read first time.

On motion of Mr. Clymer,

The bill was laid on the table and ordered printed.

Mr. Struve, of Clarke, introduced

H. B. No. 42—An act to amend an act entitled "an act relative to crimes and punishments in criminal cases."

Bill read first time.

H. J. M. No. 4—Relative to a light house at Gray's Harbor and buoying out the harbor and bar of the same.

Memorial read second time.

On motion of Mr. Miller of Kitsap,

The memorial was referred to committe on Commerce.

H. B. No. 26—An act to authorize I. S. McFarland, Henry Marlin, their associates, heirs and assigns to build a bridge across the Columbia river, was taken up.

Bill read second time.

On motion of Mr. Hathaway,

The rules were suspended and the bill read third time, passed and the title agreed to.

The Speaker presented the Annual Report of the Territorial Librarian, which is as follows:

OFFICE OF THE TERRITORIAL LIBRARIAN,
Olympia, Dec. 20, 1865.

To the Honorable the Legislative Assembly of the Territory of Washington:

GENTLEMEN—In accordance with the law defining the duties of Territorial Librarian, I herewith present my Annual Report:

Immediately upon entering upon the duties of my office, I caused advertisements to be posted in various places, requesting all persons having books belonging to the Territorial Library to immediately return them. By this means I succeeded in obtaining fifty-three volumes which were loaned out by my predecessor, and the greater number of them loaned under his own signature.

The thirty-seven volumes yet remaining out, I think by perseverance, can be recovered.

Several volumes of those that are missing are not in the Territory, hence I feel somewhat at a loss to know how to proceed to recover them.

Below will be found the number and titles of the books received from the various States and Territories, also from the Home Department:

Minnesota Reports, Vol. 8, 1864.

Laws of New Jersey, 1864.

Journal of the Senate of Nevada, first session.

Appendix to Journal of the Senate of Nevada, duplicates.

Executive Documents of Minnesota, 1863.

Register of New Jersey Volunteers in the service of the United States, 1865.

Legislative Documents of New Jersey, 1864.

Biennial Report of the Superintendent of Public Instruction for the State of Indiana, 1863–4.

Executive Documents of Minnesota, 1864.

Smithsonian Contributions to Knowledge, Vol. 13.

Journal of the Senate of Minnesota, Vol. 3.

The above books have been classified and placed upon the shelves.

The committee appointed January 14, 1865, to examine the

condition of the Library, reported upon the shelves 4,814 volumes, to which add 53 volumes I have collected within the last year, and 15 volumes received from various States and Territories, making in the aggregate 4,882 volumes now upon the shelves, I hope in such a condition your committee will find but little difficulty in obtaining any information they may desire.

The books which have been loaned from the Library within the last year have all been promptly returned.

There has been no necessity for imposing any fine.

All of which is respectfully submitted.

J. C. HEAD,
Territorial Librarian.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 20, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 8—An act relating to elections and the mode of supplying vacancies.

C. B. No. 12—An act to amend an act entitled "an act to incorporate the University of Washington Territory."

C. B. No. 9—An act to authorize O. F. Gerrish and H. L. Tibbals and associates to build a wharf at the foot of Taylor street in Port Townsend.

C. B. No. 10—An act to legalize the marriages between James Reynes and Isabella Newton, a Clalm Indian, and William Newton and Isabella Adams, a Clalm Indian.

Also introduction of a memorial from the Oregon Legislature.

N. S. PORTER,
Chief Clerk.

A petition and remonstrance were presented relative to bringing or assisting emigrants to this Territory, which were referred to committee on Ways and Means, with instructions to print.

M. McLane, of Thurston, introduced the following resolution:

Resolved, That all bills, resolutions and other matter ordered printed, shall be furnished each day by the clerk or committee having charge of them, to the committee on printing, whose duty it shall be to furnish to the Public Printer and be responsible for the safe and speedy return thereof.

On motion of Mr. Miller of Kitsap,

The resolution was laid on the table.

Mr. Clymer in the chair.

C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103, was taken up with House substitute.

Resolution read second.

Mr. Speaker in the chair.

On motion of Mr. Andrews,

The House took a recess of fifteen minutes.

House re-assembled.

Mr. McAuliff, from the committee on Ways and Means, submitted the following majority report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred the petition and remonstrance of tax-payers of Washington Territory relative to an appropriation of $4000, have instructed me to report the same back to the House with the accompanying bill, and would respectfully urge its passage for the following reasons:

1. The reputation of the Territory is in a measure at stake.

2. The bare idea that 500 ladies should be left in the city of New York, disappointed and unprovided for when they have come from their homes in good faith, is not to be entertained for a moment by any man claiming to be actuated by the feelings of humanity.

W. B. GRENELL,
H. F. SMITH,
ABNER CLARK.

Mr. McAuliff, from the committee on Ways and Means, submitted the following minority report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred a petition and remonstrance from the citizens of Olympia relative to an appropriation to relieve Mr. Mercer in his female emigration scheme, have had the same under hasty consideration, and beg leave to report the same back without recommendation.

JAMES McAULIFF,
C. CLYMER.

H. B. No. 42—An act appropriating certain moneys to aid Mr. Mercer.

Bill read first time.

On motion of Mr. Grenell,

The rules were suspended and the bill was read second time.

Mr. Struve moved to indefinitely postpone the bill.

Motion lost.

On motion of Mr. Weeks,

The rules were further suspended and the bill read third time.

On the passage of the bill, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Clark, Grenell, Miller of Kitsap, Ruddell, Rowe, Smith, Weeks and Mr. Speaker—8.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Buzby, Clymer, Dray, Doane, Downey, Ford, Hathaway, Miller of Thurston, Morgan, McLane, McCaw, McAuliff, Sexton, Struve, Tripp, and Urquhart—18.

So the bill did not pass.

On motion of Mr. Andrews,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, December 21, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McAuliff, McLane, McCaw, Ruddell, Rowe, Smith, Sexton, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix, and Vansyckle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Struve,

The remonstrance, petition and telegram, ordered to be spread upon the journal in their proper places.

Mr. Doane, from the committee on Public Grounds and Buildings, reported as follows:

MR. SPEAKER—

Your committee on Public Grounds and Buildings, to whom was referred

H. J. M. No. 2—Relative to the establishment of an agricultural college,

Have considered the same, and would recommend the passage of the memorial.

W. C. DOANE,
Chairman.

Mr. Sexton, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

H. B. No. 32—An act to authorize James Lee to establish a ferry on the Columbia river,

Have considered the same, and would recommend that it do pass without amendment.

B. N. SEXTON,
Chairman.

Mr. Weeks, from the committee on Commerce, submitted the following report:

MR. SPEAKER—

Your committee on Commerce, to whom was referred

H. J. M. No. 4—Relative to a light house at Gray's Harbor and buoying out the harbor and bar of the same,

Have examined the same, and would recommend its passage.

SAMUEL WEEKS,
Chairman.

Mr. Sexton, from the committee on Corporations, submitted the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 4—An act to authorize William Nix and James Monahan to construct a bridge across Spokane river,

Have considered the same, and recommend that it do pass without amendment.

B. N. SEXTON,
Chairman.

On motion of Mr. Miller of Kitsap,

The Special committee on apportionment bill was allowed until 10th January, 1866, to submit a report.

Mr. Doane, of Pacific, introduced

H. J. M. No. 8—In relation to a military road from Willopa to Black river.

Memorial read first time.

On motion of Mr. Ford,

The rules were suspended and the memorial read second time.

On motion of Mr. Briggs,

The memorial was referred to committee on Roads and Highways.

Mr. Clark, of Clarke, introduced

H. B. No. 44—An act concerning the bond of Territorial Printer.

Bill read first time.

On motion of Mr. Struve,

The rules were suspended and the bill was read second time.

On motion of Mr. Hathaway,

The rules were further suspended and the bill read third time, passed and title agreed to.

On motion of Mr. Clymer,

The clerk was instructed to report the passage of the bill to the Council.

Mr. Clymer, of King, introduced

H. J. M. No. 9—Praying Congress for an appropriation for the establishment of a mail route from Wallula to Seattle.

Memorial read first time.

On motion of Mr. McAuliff,

The memorial was referred to committee on Memorials.

H. J. R. No. 6—Relative to joint convention to elect Territorial offices.

Resolution read first time.

On motion of Mr. McCaw,

The rules were suspended and the resolution read second time.

On motion of Mr. Hathaway,

The rules were further suspended and the resolution was read third time and passed.

Mr. Urquhart, of Lewis, introduced the following resolution:

Resolved, That the committee on Printing be instructed to ascertain, with the aid of some disinterested and practical printers, whether R. H. Hewitt, Public Printer, has sufficient type and material, and is enabled to do the necessary public painting.

On motion of Mr. Ruddell,

The resolution was adopted.

On motion of Mr. Hathaway,

House bills 33 and 34 were referred to the committee on Agriculture.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 21, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 13—An act in relation to insolvent debtors.

Also passage of

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello.

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county.

H. J. M. No. 3—Praying for the establishment of a mail route from Helena, Montana, to Wallula.

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes.

H. B. No. 22—An act authorizing S. W. Percival to build a wharf in the town of Olympia,

N. S. PORTER,
Chief Clerk.

Mr. Doane moved a suspension of the rules to take up, with the report of the committee thereon,

C. B. No. 2—An act to incorporate the Klickitat Portage Company.

Motion carried.

Bill read second time.

On motion of Mr. McAuliff,

The rules were suspended and the bill read a third time, passed and the title agreed to.

On motion of Mr. Morgan,

The rules were suspended to take up

House substitute for C. J. R. No. 3—Relative to retaining

in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103.

On motion of Mr. Clymer,

Resolution read third time and passed.

Mr. Miller, of Kitsap, moved that the rules be suspened to take up

C. J. R. No. 2—Relative to the removal of the Custom-house from Port Angeles to Port Townsend.

On motion of Mr. Buzby,

Both reports on said resolution were laid on the table.

On motion of Mr. Miller of Kitsap,

Resolution read third time.

On the passage of the resolution, the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Doane, Dray, Ford, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart, Downey, Weeks and Mr. Speaker—22.

Those who voted in the negative are—

Messrs. Grenell, McLane, Sexton and Struve—4.

So the resolution passed.

On motion of Mr. Ruddell,

The rules were suspended to enable the committee on Printing to report as follows:

MR. SPEAKER—

Your committee on Printing, who were instructed to ascertain whether R. H. Hewitt was prepared to do the public printing, beg leave to report that they have had an interview with Mr. Hewitt, and that he assured the committee that he had procured the necessary material, and that he was fully prepared to do all the printing required by the Legislature. Your committee also submit herewith an opinion upon the subject matter embraced in the report, signed by five practical printers, corroborating the statement made by Mr. Hewitt. Your commit-

tee therefore give as their deliberate opinion that Mr. Hewitt has in his establishment sufficient type and material to do all the public printing required for the Territory.

G. W. MILLER,
Chairman.

On motion of Mr. Andrews,

Report received and committee discharged from the further consideration of the subject.

On motion of Mr. McLane,

The entire matter relative to the Public Printing was ordered printed.

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries, and other societies for benevolent, temperance, charitable and scientific purposes.

Bill read second time.

On motion of Mr. Morgan,

The bill was referred to committee on Judiciary.

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber and wood down Mill creek to Walla-walla city, in Walla-walla county.

Bill read second time.

On motion of Mr. Clymer,

The bill was referred to committee on Corporations.

H. B. No. 28—An act relative to landlord and tenant.

Bill read second time.

On motion of Mr. McLane,

The bill was referred to committe on Judiciary.

H. B. No. 42—An act to amend an act entitled "an act relative to crimes and punishments in criminal cases."

Bill read second time by title.

On motion of Mr. Struve,

The rules were suspended and the bill read third time, passed and the title agreed to.

H. J. M. No. 2—Relative to the establishment of an Agricultural College, was taken up with the report of the committee thereon.

Memorial read second time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the memorial read the third time and passed.

C. J. R. No. 1—Relative to biennial sessions of the Legislative Assembly, was taken up.

Resolution read second time.

Mr. Struve moved to amend by striking out the words "passage of," and inserting in lieu thereof "action of Congress on."

Mr. McCaw moved to strike out all after the word "day."

Motion lost.

On motion of Mr. Briggs,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December 22, 1865.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith, Sexton, Tripp, Urquhart and Weeks.

Absent—Messrs. Lloyd, Lee, Mix and Vansickle.

Prayer by the Chaplain.

On motion of Mr. McCaw,

The order of business was dispensed with, and House took up unfinished business.

C. J. R. No. 1—Relative to biennial sessions of the Legislative Assembly, was taken up.

Mr. Struve moved that the resolution be indefinitely postponed.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Clark, Dray, Doane, Ford, Grenell, Hathaway, Ruddell, McCaw, Sexton, Smith, Struve, Tripp, Urquhart and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Buzby, Clymer, Downey, Miller of Kitsap, Miller of Thurston, Morgan, McLane, McAuliff, and Weeks—11.

So the resolution was indefinitely postponed.

H. J. M. No. 4—Relative to a light house at Gray's Harbor and buoying out the harbor and bar of the same, with the report of the committee thereon, was taken up.

On motion of Mr. Ford,

The report of the committee was adopted.

Memorial read third time and passed.

H. B. No. 32—An act to authorize James Lee to establish a ferry on the Columbia river, was taken up with the report of the committee thereon.

On motion of Mr. Briggs,

The report of the committee was laid on the table.

Bill read third time, passed and title agreed to.

H. B. No. 4—An act to authorize William Nix and James Monahan to construct a bridge across Spokane river, was taken up with the report of the committee thereon.

On motion of Mr. McAuliff,

The report of the committee was adopted.

The bill was read a third time, passed and the title agreed to.

Mr. Struve in the chair.

H. B. No. 31—An act to require notice of application for charters and acts of incorporations, taken up.

On motion of Mr. Clymer,

The bill was laid on the table and made the order of the day for January 6, 1866.

Mr. Speaker in the chair.

Mr. Miller moved that the House do now adjourn.

Upon which motion the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Doane, Downey, Ford, Grenell, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McAuliff, Smith, Tripp and Weeks—14.

Those who voted in the negative are—

Messrs. Andrews, Clark, Hathaway, McLane, Ruddell, Struve, Urquhart and Mr. Speaker—8.

So the House stood adjourned until 10 o'clock, January 2d, 1866.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 2, 1866.

The hour having arrived for the meeting of the House, in the absence of the Speaker, on motion, Mr. Struve was called to chair chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Dray, Doane, Ford, Grenell, Miller of Kitsap, Miller of Thurston, Morgan, McAuliff, Rowe, Sexton, Smith, Struve and Tripp.

Absent—Messrs. Buzby, Downey, Hathaway, Lloyd, Lee, McCaw, McLane, Mix, Ruddell, Urquhart, Vansyckle, Weeks and Mr. Speaker.

Prayer by the Chaplain.

Journal of Friday, December 22, 1865, read and approved.

Mr. Clymer presented a petition from citizens of King county relative to appropriation of certain liquor licenses to the school fund, which was referred to the King county delegation, with instructions to report by bill.

Mr. Speaker in the chair.

Mr. Clymer, from the committee on Memorials, reported as follows:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 8—In relation to a military road from Willopa to Black river,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

C. CLYMER,
Chairman.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes,

Have considered the same, and recommend that it do pass with the following amendments, to-wit:

Insert between the words "real" and "make," in Sec. 2, 6th line, printed copy, "for the purpose of carrying out the specified objects of the corporation, and no other."

H. G. STRUVE,
Chairman.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 20—An act relating to Witnesses and Evidence,

Beg leave to report that they have considered the same, and recommend that it do pass without amendments.

H. G. STRUVE,
Chairman.

Mr. Miller, of Kitsap, introduced

H. B. No. 45—An act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens.

Bill read first time.

On motion of Mr. Morgan,

The bill was laid on the table and ordered printed.

Mr. Struve in the chair.

Mr. Andrews, of King, introduced

H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor and to discourage the immigration of Chinese into the Territory," passed January 23, 1864.

Bill read first time.

On motion of Mr. Briggs,

The bill was laid on the table and ordered printed.

Mr. Eldridge, of Whatcom, introduced

H. J. M. No. 10—Relative to San Juan Island.

Memorial read first time.

On motion of Mr. Ruddell,

The rules were suspended and the memorial read second time.

On motion of Mr. Miller of Kitsap,

The memorial was referred to committee on Memorials.

Mr. Eldridge, of Whatcom, introduced

H. B. No. 47—An act in relation to the road tax in Whatcom county.

Bill read first time.

On motion of Mr. McAuliff,

The rules were suspended and the bill was read second time.

On motion of Mr. Grenell,

The bill was referred to committee on Roads and Highways.

Mr. Eldridge, of Whatcom, introduced

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages.

Bill read first time.

On motion of Mr. Clark,

The bill was laid on the table and ordered printed.

Second reading of bills.

H. B. No. 35—An act to regulate partition fences.

Bill read second time.

On motion of Mr. Andrews,

The bill was referred to committee on Agriculture, with instructions to print.

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company.

Bill read second time.

On motion of Mr. Smith,

The bill was referred to committee on Corporations.

H. B. No. 25—An act to regulate marriages.

Bill read second time.

On motion of Mr. Dray,

The bill was referred to committee on Judiciary.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company,

Bill read second time.

The bill was referred to committee on Corporations.

H. B. No. 41—An act for the protection of sheep and wool growers.

Bill read second time.

On motion of Mr. Struve,

The bill was referred to committee on Agriculture.

Mr. Hathaway, of Clarke, introduced

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates to survey, cut and construct ditches or canals for mining purposes.

Bill read first time.

Mr. Ruddell, of Thurston, introduced

H. J. M. No. 11—Relative to school lands.

Memorial read first time.

On motion of Mr. Hathaway,

The rules were suspended and the memorial read second time.

On motion of Mr. Clymer,

The bill was referred to committee on Education.

H. B. No. 20—An act relating to witnesses and evidence, taken up with the report of the committee thereon.

On motion of Mr. Ruddell,

The report of the committee was adopted.

The House refused to suspend the rules to order to third reading.

Mr. McLane claimed that the reading was for information, and that it could then pass to third reading without suspension of the rules.

The chair ruled that the rules had to be suspended to order to third reading.

From which decision Mr. McLane appealed.

The question being "shall the chair be sustained?" was decided in the affirmative.

Mr. Speaker in the chair.

H. B. No. 12—An act for the incorporation of colleges,

seminaries, churches, lyceums, libraries, and other societies for benevolent, temperance, charitable and scientific purposes, taken up with the report of the committee thereon.

The report of the committee was adopted.

On motion of Mr. Hathaway,

The 13th line was amended by inserting the words "the affairs of," before the word "said."

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 2, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage of

H. B. No. 38—An act to amend an act to incorporate the Washington Woolen Manufacturing Company.

H. B. No. 3—An act to establish the southern boundary of King county.

House substitute for C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103.

Also that the Council refuse to pass

H. B. No. 27—An act for the relief of Edmund Carr for services as University Commissioner.

Also of the introduction of

C. B. No. 14—An act appropriating moneys to ladies in New York city, awaiting transportation to the Pacific coast.

N. S. PORTER,
Chief Clerk.

H. J. M. No. 5—Praying for the extension of mail route No. 15402, taken up with the report of the committee thereon.

On motion of Mr. Urquhart,

The report of the committee was adopted.

Memorial read third time and passed.

On motion, the House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 3, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Dray, Downey, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McAuliff, Ruddell, Rowe, Struve, Tripp and Weeks.

Absent—Messrs. Buzby, Doane, Ford, Grenell, Lloyd, Lee, McCaw, McLane, Mix, Sexton, Smith, Urquhart and Vansickle.

Journal of yesterday read and approved.

Mr. Clymer, from the committee on Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 7—Praying for an appropriation to build a road from Cathlamet to Boisfort Prairie,

Have had the same under consideration, and report the same back without recommendation.

C. CLYMER,
Chairman.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 25—An act to regulate marriages,

Beg leave to report that they have considered the same, and have instructed me to report the same back and recommend its passage with the following amendments:

That the second subdivision of Sec. 2d be amended so as to read as follows:

"2d. When the parties thereto are nearer of kin to each other than second cousins, whether of the whole or half-blood, computing by the rules of the civil law."

H. G. STRUVE,
Chairman.

On motion of Mr. Andrews,

Report received and committee discharged from the further consideration of the subject.

Mr. Clymer, from the committee on Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 10—Relative to San Juan Island,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

C. CLYMER,
Chairman.

On motion of Mr. Clark,

The report was received and the committee discharged from further consideration of the memorial.

Mr. Miller, of Kitsap, introduced

H. B. No. 50—An act to restrain and license dance houses in the counties of Kitsap, Jefferson and King.

Bill read first time.

On motion of Mr. Struve,

The bill was laid on the table and ordered printed.

Mr. Smith, of Stevens, introduced

H. J. M. No. 12—Relative to Indians residing in Stevens county.

Memorial read first time.

On motion of Mr. McAuliff,

The memorial was laid on the table and ordered printed.

On motion of Mr. Clymer,

The rules were suspended to enable the chairman of Select committee to submit the following report:

MR. SPEAKER—

Your Select committee, to whom was referred a petition from citizens of King county relative to licenses in said county, beg leave to report the same back with accompanying bill.

C. CLYMER,
Chairman.

H. B. No. 51—An act in relation to licenses in King county.

Bill read first time.

On motion of Mr. Andrews,

The bill was laid on the table and ordered printed.

Mr. Clymer, of King, introduced

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river.

Bill read first time.

On motion of Mr. Hathaway,

The bill was laid on the table and ordered printed.

H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor and to discourage the immigration of Chinese into the Territory," passed January 23, 1864, taken up.

Bill read second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Mines and Mining.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates to survey, cut and construct ditches or canals for mining purposes.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to Clarke county delegation.

The following message was received from the His Excellency the Governor:

EXECUTIVE OFFICE,
Washington Territory,
Olympia, January 3, 1866.

To the Hon. Speaker and House of Representatives of the General Assembly of Washington Territory:

The enclosed House bill, No. 5, entitled "An act to permanently locate and establish the county seat of Kitsap county," which was received at this office on the evening of Wednesday, December 20, 1865. This being the fourth day of the Legislature being in session since the bill came into my hands, I there-

fore respectfully return the bill with the following statement:

On the 21st December, I received a written communication of which the following is a copy:

To His Excellency William Pickering, Governor of Washington Territory:

The undersigned would respectfully represent that papers have been examined by us since the passage of the act "permanently locating the county seat of Kitsay county" at the present session of the Legislative Assembly, that might have caused us to have voted differently upon the passage of the act, from the vote we did cast, and you are respectfully requested to withhold your approval of said act.

Dated Olympia, December 21, 1865.

JOHN DENNY,
LEVI FARNSWORTH,
H. K. HINES,
E. C. FERGUSON.

And on December 22, 1865, E. C. Ferguson requested to have his name taken from the above list, which would then leave three names of members of the Council still remaining attached to the foregoing requisition, being exactly half the number of the Councilmen present at the time when the bill was passed. Had they all voted against it, that bill could not have passed the Council.

It has long been considered a well settled principle, that the *majority* of legal voters have the right to select the permanent location of their county seat, and sooner or later, the majority never fail to settle that question by their votes at the ballot box.

And inasmuch as the papers referred to in the foregoing communication of four members of the Council, have been shown to me, and they prove that the vote taken at the last election was protested against by a large number of voters of said Kitsap county, and an earnest application was made to the county commissioners court to contest the legality of said election, and the said court appointed arbitrators to examine and decide upon said contested election; and that one of said arbi-

trators has declined to accept of the appointment, and gives good and sufficient reasons why he entirely refuses to act in the premises; and *that* contested election still remains a vexed question, and has not been finally or legally disposed of, and as there is good reason for believing that the voters of Kitsap county who are dissatisfied with the election held in 1865, (as their numerously signed petitions set forth), would be satisfied with having an opportunity of voting again on the question of finally settling the location of their county seat; and as the real majority of voters have nothing to fear from the result of another election on that subject, I would respectfully suggest the propriety of your honorable body passing a law authorizing another election to be held to locate the county seat of Kitsap county by a majority of the legal voters of that county, as the safest and surest plan of harmoniously settling a local question in which every voter has a personal interest and a legal right to express his preference peaceably, as a good citizen, at the ballot box.

With these views, and in consideration of the whole affair standing at this time as an undecided case of a contested election, the large and respectable number of legal voters of that county who have signed the petitions to protest against the supposed illegality of the last election, could not fail to consider themselves unfeelingly, harshly and cruelly treated by the hasty passage of any law at the present session that would forcibly carry into effect the result of the last election, while they feel and consider they have done all in their power to contest said election in a peaceable and legal manner, as law and order abiding citizens.

With a firm and unfaltering desire on my part to aid and assist in doing full and impartial justice to each and every citizen and voter of Kitsap county, (and believing that every member of both branches of the Legislature entertains the same sentiments and purposes), I respectfully return the said bill without my approval, and take the liberty of recommending that a law be passed at the present session authorizing another vote to be taken in Kitsap county, to permanently locate their coun-

ty seat by the will and the choice of a majority of the legal voters of said county.

All of which is respectfully submitted by

Your obedient servant,
WILLIAM PICKERING,
Governor of Washington Territory.

On motion of Mr. Struve,

The message and bill were laid on the table and made the special order for to-morrow at 11 o'clock.

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages, taken up.

Bill read second time.

On motion of Mr. Weeks,

The bill was referred to committee on Judiciary.

H. B. No. 20—An act relating to Witnesses and Evidence, taken up.

Bill read third time.

Being placed on its final passage, the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Andrews, Clark, Dray, Ford, Grenell, Hathaway, McLane, Ruddell, Sexton, Smith, Struve, Tripp and Mr. Speaker —13.

Those who voted in the negative are—

Messrs. Briggs, Clymer, Doane, Downey, Miller of Kitsap, Morgan, McCaw, McAuliff, Rowe, Urquhart and Weeks—14.

So the bill passed and title agreed to.

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries, and other societies for benevolent, temperance, charitable and scientific purposes, taken up.

Bill read third time, passed and title agreed to.

H. J. M. No. 9—Praying Congress for an appropriation for

the establishment of a mail route from Wallula to Seattle, taken up with the report of the committee thereon.

On motion of Mr. McAuliff,

The report of the committee was adopted.

Memorial read third time, passed and title agreed to.

On motion of Mr. Struve,

The committee on Enrolled Bills were instructed to report all bills, memorials, &c., within two days after being received by them.

On motion of Mr. Clymer,

House took recess for fifteen minutes.

House re-assembled.

On motion of Mr. Urquhart,

The rules were suspended to enable the committee on Enrolled bills to make report.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled

H. J. R. No. 1—Relative to a joint committee to wait upon His Excellency the Governor.

H. J. M. No. 1—Praying for an appropriation to build a wagon road from Walla-walla to Seattle.

H. B. No. 2—An act conferring certain powers upon the city of Walla-walla.

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county.

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla.

H. J. R. No. 5—Relative to adjourning over the holidays.

H. B. No. 30—An act to provide for the payment of the costs and expenses of keeping and maintaining the insane and idiotic persons.

H. J. R. No. 2—Relative to the election of Public Printer,

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver.

H. B. No. 11—An act appointing an Enrolling Clerk, and providing for payment for his services.

H. B. No. 18—An act to locate a Territorial Road from Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county.

H. B. No. 21—An act allowing the tax-payers of Chehalis, residing at Gray's Harbor, to perform their road labor on the tide-water in removing obstructions and staking out the channel of said harbor,

H. B. No. 23—An act to repeal an act entitled an act to regulate the fees of County Auditor and Probate Judge of the county of Kitsap.

H. J. R. No. 4—Relative to the Union.

JAMES URQUHART,
Chairman.

H. J. M. No. 10—Relative to San Juan Island, was taken up with the report of the committee thereon.

On motion of Mr. Grenell,

The report of the committee was adopted.

Memorial read second time.

On motion of Mr. Smith,

The rules were suspended and the memorial read the third time and passed.

H. B. No. 25—An act to regulate marriages, with the report of the committee thereon, taken up.

On motion of Mr. Hathaway,

The report of the committee was adopted.

Mr. Clymer moved to amend by striking out the word "eighteen" and inserting the words "twenty-one years."

Mr. Ruddell in the chair.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Dray, Doane, Downey, McCaw, McLane, Ruddell, Sexton, Urquhart, Weeks and Mr. Speaker—11.

Those who voted in the negative are—

Messrs. Briggs, Clark, Ford, Grenell, Hathaway, Miller of Kitsap, Morgan, McAuliff, Rowe, Smith, Struve and Tripp—12.

So the amendment was lost.

M. Ford moved to amend by adding after the 7th line, the words "where there is a difference of 25 years between the parties."

Motion lost.

Mr. Speaker in the chair.

Mr. Clymer moved that "fifteen" be stricken out and "eighteen" inserted.

Motion carried.

Mr. Sexton moved to strike out the word "eighteen," in Sec. 13, where it refers to the age of males, and insert the word "twenty."

Motion carried.

Mr. Struve moved to reconsider the vote by which "fifteen" was stricken out and "eighteen" years inserted.

Motion carried.

M, Struve moved that "fifteen years" be stricken out and "sixteen years" inserted.

Mr. McCaw moved to amend by inserting "seventeen years."

Mr. Hathaway moved that the House go into committee of the Whole to consider the bill.

Motion lost.

The question recurring on the amendment proposed by Mr. McCaw, it was carried.

Mr. Struve moved that the following section be added to the bill:

"Sec. 18. This act shall take effect and be in force from and after the 1st day of May, 1866.

Motion carried.

On motion of Mr. Sexton,

The words "six months" were stricken out, and the words "three months" inserted in lieu thereof, in Sec. 13, line 6.

On motion of Mr. Ford,

The word "county," in Sec. 13, was stricken out, and the word "Territory" inserted.

The bill was read a third time as amended, passed and the title agreed to.

Mr. Sexton moved that Mr. Murphy, of the *Washington Standard*, and Mr. Hewitt, of the *Pacific Tribune*, or their representatives, be provided with a table and be allowed within the bar of the House, for the purpose of reporting for the press.

Motion carried.

H. B. 51—An act in relation to licenses in King county, taken from the table.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Education.

On motion of Mr. Struve,

The rules were suspended to enable Mr. McLane to introduce a bill.

Mr. McLane, of Thurston, introduced

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read second time.

On motion of Mr. McCaw,

The bill was referred to the Thurston county delegation.

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello.

Memorial read first time.

On motion of Mr. Ruddell,

The rules were suspended and the memorial read second time.

On motion of Mr. McLane,

The bill was referred to committee on Military Affairs.

C. B. No. 9—An act to authorize O. E. Gerrish and H. L. Tibbals and associates to build a wharf at the foot of Taylor street in Port Townsend.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read second time.

On motion of Mr. Morgan,

The rules were further suspended and the bill read third time, passed and title agreed to.

The Speaker announced that he was about to sign the following:

H. J. R. No. 1—Relative to a joint committee to wait upon His Excellency the Governor.

H. J. M. No. 1—Praying for an appropriation to build a wagon road from Walla-walla to Seattle.

H. B. No. 2—An act conferring certain powers upon the city of Walla-walla.

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county.

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla.

H. J. R. No. 5—Relative to adjourning over the holidays.

H. B. No. 30—An act to provide for the payment of the costs and expenses of keeping and maintaining the insane and idiotic persons.

H. J. R. No. 2—Relative to the election of Public Printer,

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver.

H. B. No. 11—An act appointing an Enrolling Clerk, and providing for payment for his services.

H. B. No. 18—An act to locate a Territorial Road from

Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county.

H. B. No. 21—An act allowing the tax-payers of Chehalis, residing at Gray's Harbor, to perform their road labor on the tide-water in removing obstructions and staking out the channel of said harbor,

H. B. No. 23—An act to repeal an act entitled an act to regulate the fees of County Auditor and Probate Judge of the county of Kitsap.

H. J. R. No. 4—Relative to the Union.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 22, 1865.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives that

H. J. R. No. 6—Relative to joint convention to elect Territorial offices, was transmitted to the House prematurely by mistake, and therefore ask that the same be returned to the Council.

N. S. PORTER,
Chief Clerk.

C. B. No. 10—An act to legalize the marriages between James Reynes and Isabella Newton, a Clalm Indian, and William Newton and Isabella Adams, a Clalm Indian.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Indian Affairs.

On motion of Mr. McCaw,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

UNIVERSITY COMMISSIONERS' REPORT.

DANIEL BAGLEY,
In account with Washington University, *Dr.*

1864.		
Dec. 9.	To balance due on settlement with the Regents, ...$	3 48
1866.		
Jan'y 2.	To receipts from all sources from settlement to date, ...	2,154 50
	Total,.....	$2,157 98

[See abstract "A,".]

CR.

Jan'y 2.	By disbursements per all purposes since last settlement Dec. 9th, 1864,.....	$2,159 48

[See abstract "A," page 5.]

DANIEL BAGLEY,
President.

I have personally examined and audited the account of Daniel Bagley since last settlement with the Regents of W. U., and find all correct.

H. L. YESLER,
In behalf of the Regents.

Seattle, W. T. January 1, 1866.

LAND ACCOUNT SINCE DECEMBER 9, 1864.

DANIEL BAGLEY,
In account with Washington University.

		ACRES.
January 2d, 1866.	Total land selections,..... [See schedule "A."]	1,235,10
1864.		
Dec. 15.	W ½ of s w ¼, s e ¼ of s w ¼, and s w ¼ of n w ¼, S 34, Tp 2, N R 6 E, T. L. B. Andrews,..	160
1865.		
Feb. 22.	W ½ of n w ¼, S 29, Tp 29, N R 1 w, Mastick, & Co.,.....	80
" "	E ½ of n e ¼, S 30, Tp 30, N R 1 w, Mastick, & Co.,.....	80
	Carried forward.....	320

		ACRES.
	Brought forward.....	520
Feb. 22.	Lot 1, 2, 3, and 4, and s e ¼ of s e ¼, S 7, 23 N R 5 e, P. Andrews,.....	116,70
" "	Lot 1 and 2 S 18, 23 N R 5 E, P Andrews...	40,20
Oct. 5.	S ½ of n w ¼, S 8, 23 N R 5 E, W. P. Smith,	78,20
1866.		
Jan'y 2.	S e ¼, S 32, Tp 24, N R 8 E, J. W. Borst,....	160
" "	S w ¼, S 33, Tp 24, N R 8 E, J. W. Borst,...	160
" "	S w ¼ of n e ¼, S 11 Tp 28, N R 3 E, J. W. Borst, ...	40
	T. M. Alvord,.....	320
	Total	1,235,10

This of Mr. Alvord's not being fully arranged for, the pay will not appear in the Treasurer's report, but the amount, $480 in coin, is drawing interest at one and one-half per cent. per month.

This will be added to the fund on interest—coin,....	$480 00
S w ¼ of S 21, Tp 24, N R 6 E, 160 acres, Casto's estate will not enter in Treasurer's report, but is good to the fund in due time—amount in coin with interest,	240 00
Total,.....	$720 00

DANIEL BAGLEY,
President.

[Abstract A.]

DANIEL BAGLEY,

In account with Washington University, *Dr.*

			COIN.	CURRENCY
1864.				
Dec. 9.	To balance due on settlement—coin,.....	$	3 48	
1865.				
Jan'y 3.	" from L. T. B. Andrews, per land,.....			$ 240 00
" 10.	" " A. O'Neil, interest on land account—coin, ...		50 00	
	Carried forward,.....	$	53 48	$ 240 00

			COIN.	CURRENCY.
Amount brought forward.....			$ 53 48	$ 240 00
Feb. 2.	To from Mastick & Co., on land account—coin, ...		240 00	
May 25.	" "	P. Andrews, on land account—coin, ...	240 00	
Aug. 29.	" "	Mastick & Co., on land account—coin, ...	57 00	
Oct. 10.	" "	Francis Henry, money loaned,.....		500 00
" "	" "	Francis Henry, interest on the above,.....		127 50
" 11.	" "	W. P. Smith, on land—coin,.....	120 00	
" "	" "	Capt. Blinn, on land—coin,.....	100 00	
1866.				
Jan'y 2.	" "	J. W. Borst, on land—coin,.....	480 00	
	Total,.....		$1,290 48	$867 50
Total coin and legal tenders, $2,157 98.				
1864.				Cr.
Dec. 12.	By private entry of a small parcel land,.....			$ 60 00
1865.				
Jan'y 17.	" Treasurer's receipt,.....			50 00
" "	" Treasurer's receipt—coin....		50 00	
May 25.	By Treasurer's receipt, coin....		190 00	
July "	" Return of land reported sold—			
	" coin,.....		241 96	
Oct. 11.	" Treasurer's recipt—coin, ...		479 28	
" 12.	" Order per books and apparatus to New York on Library account,.....			300 00
	Carried forward,.....		$961 24	$410 00

1866.		COIN.	CURRENCY
	Amount brought forward,.....	$ 961 24	$410 00
Jan'y 2.	To traveling expenses, stationery, etc., etc., from last settlement—coin	105 50	
1865.			
Dec. 27.	" Treasurer's receipt—coin,...	682 74	
	Total,.....	$1,749 48	$410 00

Total coin and legal tender—$2,159 48.

Coin disburements more than coin recepts—$459 00.

DANIEL BAGLEY,
President.

HOUSE OF REPRESENTATIVES,
Thursday, January 4, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Dray, Downey, Ford, Hathaway, Miller of Kitsap, Morgan, McCaw, McAuliff, Ruddell, Rowe, Smith, Tripp, Urquhart, Doane and Weeks.

Absent—Messrs. Buzby, Grenell, Lloyd, Lee, Mix, Miller of Thurston, McLane, Sexton, Struve and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Andrews,

The rules were suspended to take from the table

H. B. No. 50—An act to restrain and license dance houses in the counties of Kitsap, Jefferson and King.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill read third time, passed and the title agreed to.

On motion of Mr. Miller of Kitsap,

The clerk was instructed to report the passage of the bill to the Council.

On motion of Mr. Struve,

The Sergeant-at-arms was instructed to furnish the members of the House with pen-holders.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county.

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes.

H. J. M. No. 3—Praying for the establishment of a mail route from Helena, Montana, to Wallula.

H. B. No. 3—An act to establish the southern boundary of King county.

H. B. No. 22—An act authorizing S. W. Percival to build a wharf in the town of Olympia,

House substitute for C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103.

H. B. No. 38—An act to amend an act to incorporate the Washington Woolen Manufacturing Company.

JAMES URQUHART,

Chairman.

Mr. Briggs, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—

Your committee on Agriculture, to whom was referred

H. B. No. 10—An act to prevent the spread of contagious and infectious diseases among domestic animals,

Have considered the same, and would beg leave to report the same back and recommend its indefinite postponement.

All of which is respectfully submitted.

ALBERT BRIGGS,
Chairman.

On motion of Mr. Miller of Kitsap,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. Sexton,

The report of the committee on Agriculture in reference to H. B. No. 41—An act for the protection of sheep and wool growers, was referred back to said committee.

Mr. Morgan, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—

Your committee on Mines and Mining, to whom was referred

H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor and to discourage the immigration of Chinese into the Territory," passed January 23, 1864,

Have had the same under consideration, and would beg leave to report the same back and recommend the passage of the accompanying substitute.

H. E. MORGAN,
Chairman.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 4, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 12—And act to amend an act entitled an act to incorporate the University of Washington Territory, passed January 24, 1862.

H. B. No. 4—An act to authorize William Nix and James Monahan to construct a bridge across Spokane river.

H. B. No. 19—An act to amend an act entitled an act to authorize Willis Powell and Thomas Powell to construct and keep a Ferry on the Cathapoodle river, passed January 11, 1865.

H. B. No. 32—An act to authorize James Lee to establish a ferry on the Columbia river.

H. J. M. No. 2—Relative to the establishment of an Agricultural College.

H. J. M. No. 4—Relative to a light house at Gray's Harbor and buoying out the harbor and bar of the same.

H. J. M. No. 5—Praying for the extension of mail route No. 15402.

H. J. M. No. 9—Praying Congress for an appropriation for the establishment of a mail route from Wallula to Seattle.

Also that the President has signed

C. J. R. No. 2—Relative to the removal of the Custom-house from Port Angeles to Port Townsend.

C. B. No. 7—An act to prevent hogs from running at large in Road District, No. 1, in Jefferson county.

And the same are herewith transmitted for the signature of the Speaker.

Also of the introduction of

C. J. R. No. 4—Relative to capitol and penitentiary funds.

C. B. No. 15—An act authorizing the County Commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail, repairing court house and improving public grounds.

C. B. No. 16—An act for the appointment of a board of commissioners to revise and prepare a code of laws for the Territory of Washington.

N. S. PORTER,
Chief Clerk.

Mr. Sexton moved that all reports from Standing committees be received, except when objection is made, without motion for that purpose.

Motion lost.

On motion of Mr. Miller of Kitsap,

H. B. No. 5—An act to permanently locate and establish the county seat of Kitsap county, with the veto of the Governor thereon, was taken from the table.

The question being—"Shall the bill pass notwithstanding the veto of the Governor?" the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Briggs, Clark, Clymer, Dray, Doane, Downey, Ford, Miller of Kitsap, Morgan, McCaw, McAuliff, Smith, Struve, Sexton, Tripp, Urquhart and Weeks—16.

Those who voted in the negative are—

Messrs. Andrews, Grenell, Hathaway, McLane, Ruddell, Rowe and Mr. Speaker—7.

So the bill passed notwithstanding the veto of the Governor.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 28—An act relative to landlord and tenant,

Beg leave to report that they have considered the same, and have instructed me to report the same back without making any recommendation, and ask to be discharged from further consideration of the subject matter embraced in said bill.

H. G. STRUVE,
Chairman.

On motion of Mr. Morgan,

Report received and committee discharged from the further consideration of the subject.

Mr. Briggs, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—

Your committee on Agriculture, to whom was referred

H. B. No. 41—An act for the protection of sheep and wool growers,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend the following amendment:

Strike out in Sec. 1, lines 7 and 8, the words "herd on said commons or."

All of which is respectfully submitted.

ALBERT BRIGGS,
Chairman.

On motion of Mr. Andrews,

Report received and committee discharged from further consideration of the bill.

Mr. Dray, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 47—An act in relation to the road tax in Whatcom county,

Have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

THOMPSON DRAY,
Of said Committee.

On motion of Mr. McAuliff,

The report was received and the committee discharged from further consideration of the bill.

On motion of Mr. McAuliff,

The rules were suspended and the House took up

H. B. No. 28—An act in relation to landlord and tenant.

Bill read second time.

On motion of Mr. Weeks,

The bill was laid on the table subject to the order of the House.

The Speaker announced that he was about to sign the following:

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county.

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes.

H. J. M. No. 3—Praying for the establishment of a mail route from Helena, Montana, to Wallula.

H. B. No. 3—An act to establish the southern boundary of King county.

H. B. No. 22—An act authorizing S. W. Percival to build a wharf in the town of Olympia,

House substitute for C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103.

H. B. No. 38—An act to amend an act to incorporate the Washington Woolen Manufacturing Company.

C. J. R. No. 2—Relative to the removal of the Custom House from Port Angeles to Port Townsend,

C. B. No. 7—An act to amend an act to prevent hogs from running at large in Road District No. 1, in Jefferson county.

Mr. Sexton, of Walla-walla, introduced

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 23, 1863.

Bill read first time.

On motion of Mr. Struve,

The rules were suspended and the bill read the second time.

On motion of Mr. McCaw,

The bill was referred to committee on Judiciary.

On motion of Mr. Andrews,

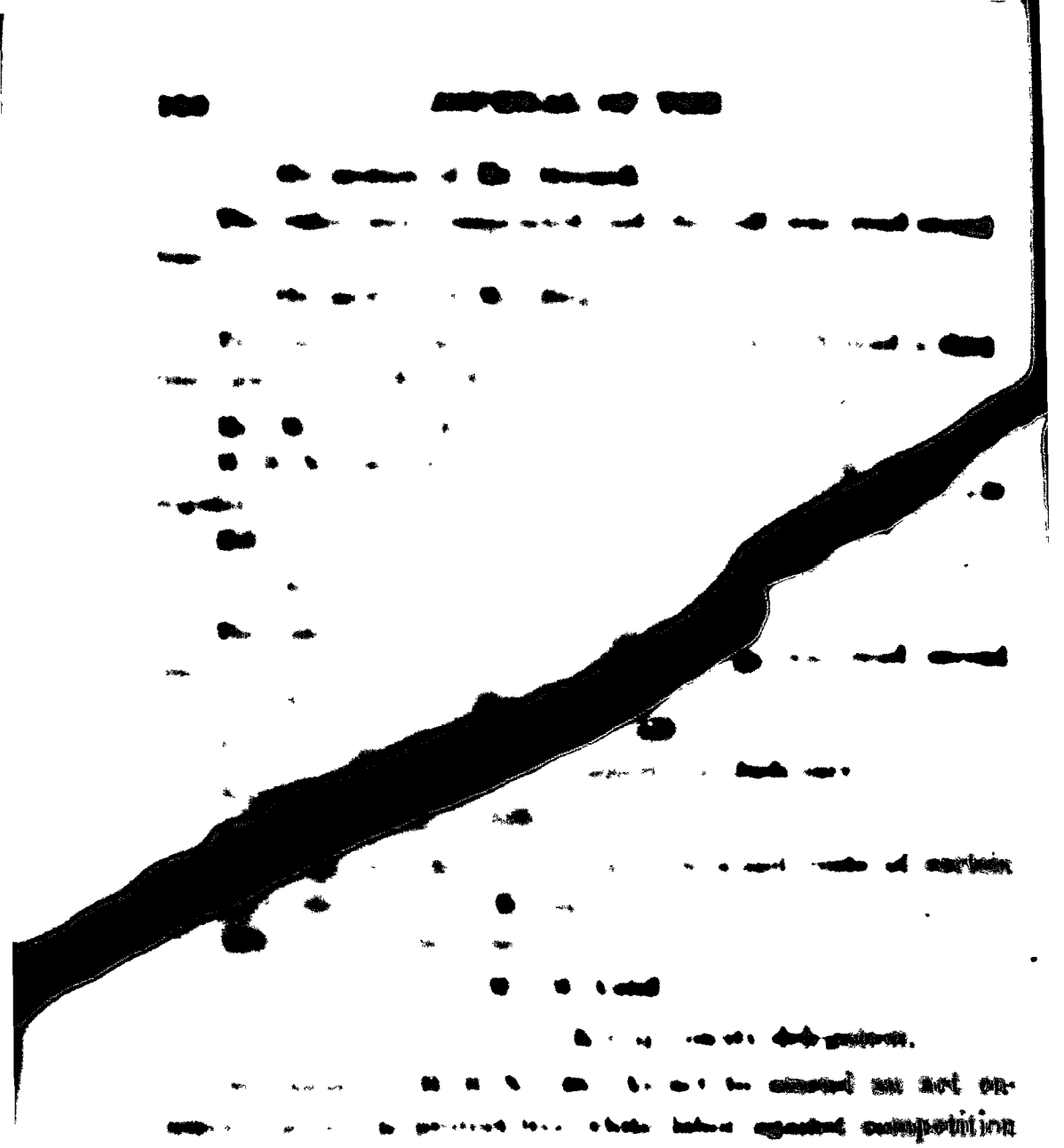
The House took a recess for fifteen minutes.

House re-assembled.

Mr. Sexton, of Walla-walla, introduced

H. B. No. 55—An act repealing an act entitled "an act making county auditors *ex officio* clerks of the probate courts of their respective counties.

Bill read first time.



The report of the committee was adopted.

Mr. Stevens moved that the substitute be laid on the table and ordered printed.

Motion lost.

Bill read third time.

Mr. McLean

The yeas were and the bill was passed the second time.

On motion of Mr. Grennell,

The bill was referred to the committee on Counties.

Mr. [illegible] to take from the table substitute for [illegible] An act to repeal an act entitled "an act to [illegible] the election of county supervisors and defining their [illegible] in the county of Jefferson."

[illegible] carried.

Bill read second time.

On motion of Mr. Dray,

The bill was referred to committee on Roads and Highways.

H. B. No. 41—An act for the protection of sheep and wool growers, with the report of the committee thereon, taken up.

On motion of Mr. Ruddell,

The report of the committee was adopted.

Bill read second time.

Mr. Hathaway moved that the proviso in Sec. 1 be stricken out.

On motion of Mr. McLane,

The bill was laid on the table and made the order of the day for January 11.

H. B. No. 10—An act to prevent the spread of contagious diseases among domestic animals, with report of committee, taken up.

The report of the committee was laid on the table.

Bill read second time.

Mr. Struve moved to adjourn.

Motion lost.

H. B. No. 47—An act in relation to road tax in Whatcom county, with report of committee, taken up.

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Ruddell.

The rules were suspended and the bill read third time, passed and the title [illegible]

C. B. No. 12—An act to amend an act entitled "an act to incorporate the University of Washington Territory."

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill read a second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Education.

Mr. Struve moved that the committee on Education be instructed to report a substitute for Council bill 12, by which both Houses shall elect, in joint convention, a board of University Regents.

Mr. Clymer moved to lay that motion on the table.

Motion lost.

The question recurring on the motion of Mr. Struve, it was carried.

On motion of Mr. McAuliff,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

REPORT OF BOARD OF UNIVERSITY REGENTS.

OFFICE PRESIDENT BOARD OF REGENTS,
Washington Territory University,
Steilacoom, January 1, 1866.

To the Hon. Legislative Assembly of Washington Territory:

In accordance with the law and usage requiring the President of the University Regents to make an annual report, I beg leave to submit the following:

In the month of February, 1865, President W. E. Barrard, who for some time previous had exercised sole direction of the University, tendered his resignation to the Board of Regents, which was accepted. Soon after, at a meeting of the Regents,

authority was given to Gen. James Tilton, who was then President of the Board, to supply the vacancy thus made by Mr. Barnard's resignation.

An effort was made by Gen. Tilton to procure some proper person to take charge of the University, but without success till about the first of last October, at which time Mr. Barnard re-accepted the position of President of the University, and again opened the school.

The school was re-opened on the 16th day of October with nine pupils, and the quarter closed, as I am informed by Mr. Barnard, with an additional number of six, making in all, at the close of first quarter ending in December last, fifteen scholars.

President Barnard was engaged to take charge of the University at a coin salary of fifteen hundred dollars per annum; one thousand dollars of this amount to be paid by the University, and five hundred from tuition to be received by him from pupils.

In the month of October last, Gen. Tilton resigned his position as President of the University Regents, and the undersigned was elected in his place.

The financial condition of the University is completely shown by the report of the late President of the Board of Regents to the last Legislative Assembly, and the accompanying report of the Treasurer, Charles C. Terry, Esq.

The undersigned would add in reference to the indebtedness of Thomas M. Chambers, referred to in the Treasurer's report, that a part of the same might be secured if authority were given to some suitable person to settle or compromise the same. And it is respectfully suggested that additional legislation is needed, giving the Board of Regents power to institute suits at law against persons indebted to the fund, and otherwise to settle and adjust accounts and indebtedness that the interests of the University may require.

The action of your Hon. body has saved me the necessity of making any recommendation about the necessity of doing away with the University Commissioners.

Hoping the interests of the University may be protected

and furthered by necessary legislation, and that the institution may soon be self-sustaining, as it is believed it should and will be, I remain, gentlemen,

Very respectfully,

Your obedient servant,

FRANK CLARK,

President of Board of Regents, W. T. University.

UNIVERSITY TREASURER'S REPORT.

SEATTLE, January 3, 1866.

To the Honorable Legislature of W. T.:

GENTLEMEN—I have the honor to transmit the following statement in regard to the condition of the finances of the Territorial University, from the 1st day of August, 1864, (at which time I became Treasurer,) to the 3d day of January, 1866.

CHAS. C. TERRY,

Treasurer, W. T. University.

Received from Thomas Mercer, former Treasurer, notes, securities, etc., amounting to.....	$	11,551 69
Since that time there has been received, notes, securities, etc., amounting to.....		5,936 18
Making in the aggregate, bills receivable, amounting to.....		17,487 87
Of these there has been paid during the year,....		3,901 92
Leaving in hands of Treasurer bills receivable amounting to.....		13,585 95
Cash received from Thomas Mercer, former Treasurer,.....		552 45
Since which time there has been received from various sources,.....		7,381 36
Making in the aggregate cash received in treasury,		7,936 81
Of this amount there has been paid out as per vouchers,.....		7,634 99
Leaving balance cash in hands of Treasurer,.....		298 82

Or,

	BILLS RECEIVABLE,	Dr.
1865.		
"	To Thos. Mercer, former Treasurer,...	$11,551 69
"	" notes, securities, etc., received,....	5,936 18
		$17,487 87
1866.		
Jan'y 3.	To bills receivable to balance,.....$	13,585 95
1865.	Cr.	
"	By securities redeemed,.....$	3,901 92
"	" bills receivable to balance,.....	13,585 95
		$17,487 87

	CASH,	Dr.
1864.		
"	To cash received from former Treasurer,	$ 552 45
1865.	" cash received in payment of notes, interest,.....	7,381 36
		$7,933 81
To cash to balance,.....		$298 82
1864–5.	Cr.	
"	By vouchers, ordes, etc.,.....$	7,634 99
"	" cash to balance,.....	298 82
		$7,933 81

RECAPITULATION:

Notes, mortgages, etc., in treasury,.....$	13,585 95
Cash on hand,.....	298 82
	$13,884 77

In connection with the above statement, I would respectfully call the attention of your Honorable Body to the fact that included in the amount, $13,585 95 bills receivable in the hands of the Treasurer, are two notes, one drawn by Thomas M. Cham-

bers, secured by mortgage, amounting to $3,000 with interest, and also one drawn by Aleck C. Smith for $200 with interest, are at the present time worthless, from the fact that at the time the loan was made to Thomas M. Chambers there was held by William W. Miller, Esq., a prior lien, which in all probability will extinguish the entire right of said Chambers in lands mortgaged to the University for the payment of the note, and the land mortgaged to secure the payment of the note drawn by Aleck C. Smith, has since been abandoned and is deemed worthless.

All of which is respectfully submitted.

CHARLES C. TERRY,
Treasurer University W. T.

HOUSE OF REPRESENTATIVES,
Friday, January 5, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Doane, Downey, Hathaway, Morgan, McCaw, McAuliff, Ruddell, Rowe, Sexton, Struve, Tripp and Urquhart and Weeks.

Absent—Messrs. Buzby, Dray, Ford, Grenell, Lloyd, Lee, Mix, Miller of Kitsap, Miller of Thurston, McLane, Smith and Vansickle.

Prayer by the Rev. Mr. Clark.

Journal of yesterday read and approved.

A communication from James G. Cooper, of San Francisco, was read.

On motion of Mr. McCaw,

The communication was referred to the committee on Ways and Means.

Mr. Hathaway, from the committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education, to whom referred

H. B. 51—An act in relation to licenses in King county,

Have had the same under consideration, and would beg leave to report the same back and recommend its passage.

M. R. HATHAWAY,
Chairman.

On motion of Mr. Grenell,

Report received and committee discharged from the further consideration of the subject.

Mr. Hathaway, from the committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. J. M. No. 11—Relative to school lands,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

M. R. HATHAWAY,
Chairman.

On motion of Mr. Ruddell,

Report received and committee discharged from further consideration of the bill.

Mr. Sexton, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber and wood down Mill creek to Walla-walla city, in Walla-walla county,

Having considered the same, have instructed me to report

the bill back to the House without amendment, and recommend its passage.

B. N. SEXTON,
Chairman.

On motion of Mr. McAuliff,

The report was received and the committee discharged from further consideration of the bill.

Mr. Sexton, from the committee on Corporations, submitted the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company,

Have considered the same, and recommend that it do pass without amendment.

B. N. SEXTON,
Chairman.

On motion of Mr. Struve,

Report received and committee discharged from further consideration of the bill.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties to whom was referred

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties," approved January 14, 1865, except in the county of Jefferson,

Have had the same under consideration, and have directed me to report it back and recommend its passage.

SAMUEL McCAW,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged from further consideration of the bill.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages,

Beg leave to report that they have had the same under consideration, and recommend the passage of the same with subjoined amendments:

1. Strike out the word "county" where it occurs in the 4th line of Sec. 16th of the printed copy of said bill.

2. Strike out the words "the county clerk of the county in which the principal office of said company within this Territory is situated," in the second and third lines of Sec. 19 in the printed copy of said bill, and insert in lieu thereof the words "the Secretary of the Territory."

3. The Organic Act of this Territory contains the following provision, to-wit:

"To avoid improper influences which may result from intermixing in one and the same act such things as have no proper relation to each other, every law shall embrace but one object and that shall be expressed in the title."

Sections 22d and 23d of the act provides for the incorporation of the California State Telegraph Company, and grants to said company certain privileges. The subject matter embraced in said sections having no proper relation to the object of the act as expressed in its title, your committee would therefore recommend that Sections 22d and 23d of said act be stricken out.

H. G. STRUVE,
Chairman.

Mr. Morgan, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—

Your committee on Mines and Mining, to whom was referred

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company,

Have had the same under consideration, and direct me to report the same back and recommend its passage with the following amendment:

Strike out Sec. 4 and insert the following:

"Sec. 4. The said corporators, for the purpose of securing a supply of water for the successful working of their mining claims, shall have power to dig a ditch of sufficient capacity to conduct such an amount of water from any streams adjacent to said mining claims."

All of which is respectfully submitted.

H. E. MORGAN,
Chairman.

On motion of Mr. Smith,

Report received and committee discharged from further consideration of the bill.

Mr. Miller, of Kitsap, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee, to whom was referred

H. B. No. 45—An act to regulate fees and costs of certain officers in the county of Kitsap,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage with the following amendments:

1. Amend the title by inserting "Jefferson and Stevens counties."

2. That "the county auditor shall receive a fee of three dollars for recording deeds and mortgages."

3. That "the constable shall receive the same fees as sheriff in similar cases."

All of which is respectfully submitted.

A. S. MILLER,
Chairman.

On motion of Mr. Weeks,

Report received and committee discharged.

Mr. Struve, of Clarke, introduced

H. B. No. 57—An act relating to suits in foreign judgments.

Bill read first time.

On motion of Mr. Hathaway,

The rules were suspended and the bill was read second time.

On motion of Mr. Clymer,

The bill was laid on the table and ordered printed.

Mr. McAuliff, of Walla-walla, introduced

H. J. R. No. 8—Relative to the Governor's message.

Resolution read first time.

Mr. Hathaway moved to indefinitely postpone the resolution.

Mr. Miller, of Kitsap, moved that that motion be laid upon the table.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Clymer, Downey, Ford, Miller of Kitsap, Morgan, McCaw, McLane, McAuliff, Urquhart and Weeks—11.

Those who voted in the negative are—

Messrs. Andrews, Clark, Dray, Grenell, Hathaway, Miller of Thurston, Ruddell, Rowe, Sexton, Smith, Struve, Tripp and Mr. Speaker—13.

House refused to lay on the table.

Question recurring on the motion to indefinitely postpone, the ayes and noes being demanded, resulted as follows:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Clark, Doane, Downey, Ford, Grenell, Hathaway, Miller of Thurston, McCaw, McLane, Ruddell, Rowe, Sexton, Smith, Struve, Tripp, Urquhart, Weeks and Mr. Speaker—20.

Those who voted in the negative are—

Messrs. Clymer, Dray, Miller of Kitsap, Morgan, and McAuliff—5.

So the resolution was indefinitely postponed.

Mr. Miller, of Kitsap, moved to reconsider the vote by which

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes, was referred to committee on Education.

Upon which motion the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Clark, Clymer, Downey, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, Rowe, Smith, Tripp, Urquhart and Weeks—13.

Those who voted in the negative are—

Messrs. Dray, Doane, Ford, Grenell, Hathaway, McLane, Ruddell, Sexton, Struve and Mr. Speaker—10.

So the reference was reconsidered.

The Speaker ruled that the bill was now before the House on its second reading.

Mr. Hathaway appealed from the decision of the chair.

The question being—"Shall the chair be sustained?"

Upon this question the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, Ruddell, Rowe, Sexton, Tripp, Urquhart and Weeks—20.

Those who voted in the negative are—

Messrs. Hathaway and Struve—2.

So the chair was sustained.

On motion of Mr. Miller of Kitsap,

The rules were suspended to take up substitute for

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company, with the report of the committee thereon.

On motion of Mr. McCaw,

The bill was referred to the Thurston county delegation.

On motion of Mr. Morgan,

The rules were suspended to enable the committee on Agriculture to report.

Mr. Briggs, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—

Your committee on Agriculture, to whom was referred

H. B. No. 35—An act to regulate partition fences,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend its passage.

ALBERT BRIGGS,
Chairman.

Mr. Struve, of Clarke, introduced

H. B. No. 58—An act to prevent the mutilation, alteration or destruction of acts and bills.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill read the second time.

On motion of Mr. Hathaway,

The rules were futher suspended, and the bill read a third time.

On the passage of the bill, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, McCaw, McLane, McAuliff, Ruddell, Rowe, Sexton, Smith, Struve, Tripp, Urquhart, Weeks and Mr. Speaker—24.

So the bill passed unanimously and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 5, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of

Representatives of the introduction and passage by the Council of the following:

C. J. R. No. 5—Relative to new business.

C. B. No. 18—An act supplementary to an act to permanently locate the county seat of Kitsap county.

C. B. No. 19—An act to repeal an act entitled "An act to provide for the Public Printing and the distribution of the Laws and Journals."

C. B. No. 17—An act to amend an act entitled "an act to amend an act entitled 'an act to provide for the assessing and collecting the Territorial and county revenue.'"

Also passage of the following:

C. B. No. 3—An act to incorporate the Snohomish City Mill Company.

C. B. No. 4—An act to incorporate the Union Cemetery of Thurston county.

C. B. No. 5—An act to creat the Vancouver Quartz Mining

C. B. No. 6—An act authorizing Charles M. Bradshaw, William Bagley, their heirs and assigns to construct a bridge across Dunginess river.

C. B. No. 15—An act authorizing the county commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail and repairing the court house and the improvement of the public grounds.

C. J. R. No. 4—Relative to capitol and penitentiary funds.

H. B. No. 5—An act to locate the county seat of Kitsap county.

C. J. R. No. 6—Relative to adjourning *sine die*.

N. S. PORTER,

Chief Clerk.

Mr. Urquhart, of Lewis, introduced

H. B. No. 59—An act to preserve the purity of elections and guard against the abuse of the elective franchise, by a registration of electors.

Bill read first time.

On motion of Mr. Andrews,

The bill was laid on the table and ordered printed.

Second reading of bills.

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river.

Bill read second time.

On motion of Mr. Struve,

The bill was referred to committee on Corporations.

H. J. M. No. 12—Relative to Indians residing in Stevens county.

Memorial read second time.

On motion of Mr. McAuliff,

Resolution was referred to committee on Memorials.

C. B. No. 12—And act to amend an act entitled an act to incorporate the University of Washington Territory, passed January 24, 1862.

Bill read second time.

Mr. Struve moved that the bill be referred to committee on Education.

Mr. Miller, of Kitsap, moved to lay that motion on the table.

Motion carried.

Mr. Struve moved that the bill be laid on the table and made the order of the day for to-morrow at 11 o'clock.

Motion lost.

Mr. Miller, of Kitsap, moved to amend by striking out the name of William W. Miller and inserting the name of Daniel R. Bigelow in lieu thereof.

Motion carried.

On motion of Mr. Hathaway,

The bill was laid on the table and made the special order for Monday the 8th.

H. J. M. No. 7—Praying Congress for an appropriation for a road from Cathlamet to Boisfort Prairie.

Memorial read third time and passed.

H. B. No. 10—An act to prevent the spread of contagious and infectious diseases among domestic animals.

Bill read third time, passed and title agreed to.

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber and wood down Mill creek to Walla-walla city, in Walla-walla county, taken up, with the report of the committee thereon.

On motion of Mr. Urquhart,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. McAuliff,

The bill was amended by striking out, in Sec. 6, the words "by individuals," and "their own lands adjoining."

On motion of Mr. Sexton,

The bill was further amended by inserting in Sec. 6th, the word "milling" before the word "irrigating," and that the word "one" in Sec. 4th, 2d line, be stricken out, and the word "or" be inserted.

On motion of Mr. McAuliff,

The rules were suspended and the bill read third time, passed and the title agreed to.

On motion of Mr. Ruddell,

The rules were suspended to enable a Select committee to make a report.

Mr. McLane, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee, to whom was referred

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company,

Having considered the same, have instructed me to report the bill back to the House without amendment, and recommend its passage.

WM. McLANE,
Chairman.

Report received and committee discharged.

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company.

Bill read second time.

Mr. Ruddell in the chair.

Mr. Eldridge moved to amend by inserting the words "but in no case shall the shares exceed $100 per share."

Mr. Speaker in the chair.

On motion of Mr. Ruddell,

The rules were suspended and the bill read a third time, passed and the title agreed to.

On motion of Mr. Ford,

The rules were suspended to enable the committee on Corporations to report.

Mr. Sexton, from the committee on Corporations, submitted the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company,

Have considered the same, and recommend that it do pass without amendment.

B. N. SEXTON,
Chairman.

On motion of Mr. Andrews,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. Miller of Thurston,

The report of the committee was adopted.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company,

Bill read second time.

Mr. Hathaway in the chair.

On motion, the names of R. L. Davis and J. T. Browning

were stricken out, and the names of Courtland Ethridge and A. J. Miller inserted in lieu thereof.

On motion of Mr. Briggs,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

REPORT OF THE TERRITORIAL AUDITOR.

AUDITOR'S OFFICE,
Olympia, December 31, 1865.

To the Hon. Legislative Assembly of Washington Territory:

Having been appointed Acting Territorial Auditor of Washington Territory by Urban E. Hicks, Esq., the Auditor elect, who, in consequence of his having become a non-resident of the Territory, was unable to attend to the duties of the office, I took charge of the books and papers pertaining to the Auditor's office and entered upon the duties thereof in the month of October last; and I now have the honor to submit the Annual Report of the Territorial Auditor for the year 1865, as full and complete as the absence of returns from some of the counties, both for the year 1864 and '65 will permit:

WASHINGTON TERRITORY, DR.

To amount of Territorial tax received from the treasurers of the following counties:

1865.			
Jan'ry 26.	Wahkiakum county,	$	13 60
" "	Mason county,		27 67
March 6.	Cowlitz county,		290 00
April 8.	Lewis county,		59 69
" 10.	Thurston county,		388 08
May 22.	Jefferson county,		80 00
	Carried forward,		$859 04

Amount brought forward,			$ 859 04
May	27.	King county	20 00
"	31.	Clalm county,	119 84
June	20.	Walla-walla county,	800 00
July	12.	Island county,	945 00
Sept.	23.	Whatcom county,	322 00
Oct.	7.	Clalm county,	100 00
"	7.	Mason county,	55 00
"	10.	Kitsap county,	600 00
"	"	Walla-walla county,	1000 00
"	"	Thurston county,	100 00
"	"	Jefferson county,	200 00
Nov.	25.	Jefferson county,	507 00
"	28.	Pierce county,	800 00
"	29.	King county,	1052 00
Dec.	4.	Walla-walla county,	2100 00
"	9.	Kitsap county,	1265 00
"	"	Thurston county,	2176 28
"	"	Cowlitz county,	370 00
"	"	Island county,	700 00
			$14091 16

Sundries for amount blank poll tax receipts returned, viz:

Cowlitz county,	$ 52 20
Pacific county,	127 37
Pierce county,	55 33
Whatcom county,	131 54
Thurston county,	93 96
Chinese police tax blanks returned:	
Pierce county,	21 00
	$481 40

Sundries for amount delinquent tax written off:

King county,	$ 120 31
Mason county,	15 59
Pacific county,	3 90
Pierce county,	1446 27
	$1586 07

Sundry credits given the following counties, as per vouchers on file, viz:

Clalm county—Amount of order in favor of sheriff of said county for conveying an insane man to the Lunatic Asylum in 1863,	$ 147 00
Pacific county—Amount of cost bill in the case of the Territory vs Caroline Edwards,	682 85
Pierce county—Amount of cost bill in the case of the Territory vs Hale,	149 00
Skamania county—Am't received from H. G. Struve, prosecuting attorney, viz: Warrant 89 of '62, $292, and warrant 80 of '61, $100	392 00
	$1370 85

WASHINGTON TERRITORY, Cr.

1865.

January 1. By amount Territorial tax due this date by the several counties, viz:

Chehalis county, the full amount assessed against said county for the year 1864, of which no return has been made to this office, less the sum of $35 34.	
Clarke county	$ 339 80
Clalm county,	412 49
Clickitat county, exclusive of amount assessed for '64 not returned,	62 64
Cowliz county,	417 29
Island county, exclusive of amount assessed for '64	864 65
Jefferson county,	253 66
Lewis county,	59 69
King county,	481 76
Kitsap county,	478 76
Mason county,	256 76
Pacific county,	500 00
Pierce county,	1362 42
Skamania county,	729 50
Carried forward,	$6282 42

Amount brought forward,	$ 6282 42
Snohomish county, exclusive of amount assessed for '64 not returned,	1 22
Stevens county, exclusive of amount assessed for '64 not returned,	2940 40
Thurston county,	1345 05
Wahkiakum county,	14 06
Walla-walla county,	1420 07
Whatcom county,	1015 79
	$13,019 01

Sundries for amount Territorial tax assessed for 1865:

Chehalis county,	$ 401 07
Clarke county,	4274 47
Clalm county, (no returns)	
Clickitat county,	449 47
Cowlitz county,	660 68
Island county,	1045 39
Jefferson county,	786 12
Lewis county,	921 81
King county,	1607 85
Kitsap county, (no returns)	
Mason county,	198 40
Pacific county,	416 00
Pierce county,	2178 04
Skamania county,	680 90
Snohomish county,	202 20
Stevens county, (no returns)	
Thurston county,	2917 73
Wahkiakum county,	19 40
Walla-walla county,	6239 30
Whatcom county,	187 20
	$23,186 10

Sundries for amount blank Chinese police tax receipts issued during the year, viz:

Pierce county,..	$ 63 00
Thurston county,....	144 00
Walla-walla county,....	450 00
Whatcom,....	300 00
	$957 00

RECAPITULATION.

Washington Territory,	*Dr.*
To amount received from counties,....	$ 14,091 16
To poll tax receipts returned,....	481 40
To delinquent taxes written off....	1,586 07
To sundry credits to counties,....	1,370 85
To balance due the Territory,....	19,632 63
	$37,162 11

Washington Territory,	*Cr.*
By balance due by the several counties at the beginning of the year,....	$13,019 01
By amount assessed for the year 1865,....	23,186 10
By blank poll tax receipts issued,....	957 00
	$37,162 11

[NOTE.—It must be here observed that no returns of assessment of the year '64 have been returned to this office by the counties of Chehalis, Clickitat, Island, Snohomish and Stevens, consequently the above amount of balances due at the commencement of the year, is short the amount of that assessment; and the counties of Clalm, Kitsap and Stevens having made no return of assessment for the year '65, the amount above stated as assessed for the year '65, is likewise short of the sum which these omitted returns would have made it.]

TERRITORIAL TREASURER, Dr.

To amount Territorial tax received from the treasurers of the following counties, viz:		
Clalm county,	$	219 84
Cowlitz county,		660 00
Island county,		1645 00
Jefferson county,		787 00
Lewis county,		57 69
Kitsap county,		1865 00
King county,		1072 00
Mason county,		82 67
Pierce county,		800 00
Thurston county,		2276 28
Walla-walla county,		3900 00
Whatcom county,		322 00
Wahkiakum county,		13 60
		$13,703 08

Territorial Treasurer, *Cr.*

1865.		
By paid warrant No. 12 of 1861		20 00
" " " 79 "		353 63
" " " 82 "		36 94
" " " 99 "		139 00
" " " 101 "		78 58
" " " 109 "		39 50
By paid warrant No 116 of 1861,		151 50
" " " 118 "		151 66
" " " 133 "		69 17
" " " 135 "		69 73
By paid warrant No. 1 1862		100 00
" " " 2 "		100 00
" " " 2 "		275 73
" " " 6 "		206 36
" " " 10 "		100 00
Carried forward	$	1891 80

Amount brought forward,					$ 1891 80
By paid warrant No.	11	of	1862		100 00
" " "	18	"			100 00
By paid warrant No.	2½	of	1863,		75 00
" " "	3	"			300 00
" " "	4	"			300 00
" " "	5	"			100 00
" " "	8	"			200 00
" " "	9	"			92 00
" " "	15	"			100 00
" " "	21	"			100 00
" " "	21	"			100 00
" " "	28	"			52 75
By paid warrant No.	115	of	'63		100 00
" " "	116½	"			25 00
Warrant No.	6	of	1864,		100 00
" "	30		1865,		300 00

Paid the following warrants issued on account of incidental expenses:

By paid warrant No.	27	of	1865		65 00
" " "	38	"			49 00
" " Warrant No.	39		1865		70 00
" " " "	40	"			25 50
Paid warrant No.	89	of	1861,		292 00
" " "	137	"			100 00
" " "	3		1862,		37 82
" " "	7	"			410 72
" " "	16	"			91 68
" " "	6½		1863,		100 00
" " "	12½	"			45 00
Paid warrant No.	13		'63,		21 00
" " "	16	"			75 00
" " "	27	"			12 00
Paid warrant No.	4		1864,		200 00
" " "	5 'D'		1864		120 00
Carried forward,					$5751 27

Amount brought forward,.....	$5751 27
By paid warrant No. 34 of 1865.....	11 11
Paid salary of Auditor in full,.....	500 00
Paid rent of office for one year,.....	120 00
Paid to collector of Internal revenue amount Government direct tax collected,.....	183 02
Paid James Tilton, treas'r, 2 per cent. on $5378 22 collected, $107 56, and 5 per cent. on $4841 75 disbursed, $97,.....	204 56
Paid for poll tax blanks,.....	80 00
Paid for stationery,.....	13 00
Paid Express charges,.....	54 95
Paid warrant No. 31 of 1865.....	124 50
" " " 5 1864..... ..	220 00
" " " 9 "	24 00
" " " 21 "	100 00
" " " 30 1865.....	100 00
" " " 33 "	700 00
" " " 92 1861.....	30 60
" " " 10 1863.....	75 00
" " " 5 'B' 1864.....	15 00
" " " 7 "	115 00
" " " 26 "	462 00
" " " 27 "	419 25
By paid Jas. K. Kennedy, prosecuting attorney for 3d judicial district of W. T., his salary for first, second and third quarters of 1865.....	516 67
Paid H. G. Struve, prosecuting attorney for the 2d judicial district of W. T., his salary for third quarter of 1865.....	200 00
Paid Rufus Willard for stationery furnished R. M. Walker,.....	41 25
Paid warrant No. 0 of '63.....	10 00
Paid warrant No. 29 of '63.....	12 00
Paid warrant No. 7 of '64.....	100 00
Paid warrant No. 32 of '65.....	300 00
	$ 10,483 18

Amount brought forward,.....	$10,483 18
Paid warrant No. 15 of '64.....	6 00
Paid warrant No. 45 of '65.....	2057 10
Paid Benj. Harned, treasurer, 2 per cent. on $9062 02 received, $181 24, and 2 per cent. on $7704 53 disbursed, $154 09.....	335 33
Balance in treasury,.....	821 47
	$13,703 08

1865. CHEHALIS COUNTY, DR.

Jan. 1. To amount assessed for the year '64, of which no return has been made to the Territorial auditor, less the sum of $35 34.

July 29. To amount assessed for the year '65,..... $401 07

No credits for the year '65.

1865. CLARKE COUNTY, DR.

Jan. 1.	To balance of tax due as per last year's accounts,.....	$ 339 80
July 29.	Amount assessed for '65,.....	4274 47
		$4614 27

Clarke county holds a Territorial warrant for $3886 80, which will in part offset the above.

No credits for the year 1865.

1865.	CLALM COUNTY,	Dr.
Jan. 1.	To balance of tax due as per last year's accounts,	$ 412 49

No returns for 1865 received by Territorial Auditor.

1865.	CLALM COUNTY,	Cr.
March 31.	By warrant from R. M. Walker, Territorial Auditor, in favor of the sheriff of said county for conveying an insane person to Asylum in 1863	$147 00
May 31.	By amount Territorial tax received from county treasurer,	119 00
Oct. 7.	Amount Territorial tax received from county treasurer	100 00
		$366 84

1865.	CLICKITAT COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due as per last year's account, exclusive of assessment for '64, not returned to this office,	$ 62 64
July 30.	Amount assessed for '65,	449 47
		$512 11

No credits for 1865.

1865.	COWLITZ COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due as per last year's accounts,	$417 29
July 30.	Amount assessed for the year '65,	660 68
		$1077 97

1865.	COWLITZ COUNTY,	Cr.
March 6.	By amount received from county treasurer,.	$290 00
	By fifty poll tax blanks returned,.....	52 20
Dec. 12.	By amount received from county treasurer,	370 00
Dec. 30.	By balance due this date,.....	365 77
		$1077 97

1865.	ISLAND COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due, as per last year's account, exclusive of assessment for '64, of which no return has been made to this office,.....	$ 864 65
July 30.	Amount assessed for '65,.....	1045 39
		$1910 04

1865.	ISLAND COUNTY,	Cr.
July 12.	By amount received from county treasurer,.	$ 945 00
Dec. "	By amount received from county treasurer,.	700 00
		$1645 69

1865.	JEFFERSON COUNTY,	Dr.
Jan'y 1.	To balance of last year's account.....	$ 253 66
July 30.	Amount assessed for '65,.....	786 12
		$1039 78

1865.	JEFFERSON COUNTY,	Cr.
May 22.	By amount received from county treasurer,.	$ 80 00
Oct. 13.	" " " " " "	200 00
Nov. 25.	" " " " " "	507 00
Dec. 30.	Balance due this date,.....	252 78
		$1039 78

1865.	LEWIS COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due, as per last year's accounts,	$ 59 69
May 25.	Amount assessed for '65,	921 81
		$981 50

1865.	LEWIS COUNTY,	Cr.
April 8.	By amount received from county treasurer,	$ 59 69
Dec. 31.	By balance due this date,	621 81
		$981 50

1865.	KING COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due, as per last years account,	$ 481 76
July 29.	Amount assessed for '65,	1607 85
		$2089 61

1865.	KING COUNTY,	Cr.
May 27.	By amount received from county treasurer,	$ 20 00
Nov. 29.	By amount received from county treasurer,	1052 00
	By delinquent tax for '64,	120 31
Dec. 30.	Balance due this date,	897 30
		$2089 61

1865.	KITSAP COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due, as per last year's account,	$478 76

No returns received for '65.

1865.	KITSAP COUNTY,	Cr.
Oct. 10.	By amount received from county treasurer,.	$ 600 00
Dec. 9.	By amount received from county treasurer,.	1265 00
		$1865 00

1865.	MASON COUNTY,	Dr.
Jan'y 1.	To balance of last year's accounts,.....	$ 256 76
July 30.	To amount assessed for '65.....	198 40
		$455 16

1865.	MASON COUNTY,	Cr.
July 26.	By amount received from county treasurer,.	$ 27 67
Oct. 8.	By amount received from county treasurer,.	55 00
	By delinquent tax for '64,.....	15 59
Dec. 30.	By balance due this date,.....	356 90
		$455 16

1865.	PACIFIC COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due as per last year's account,.....	$ 500 00
July 20.	To amount assessed for '65,.....	416 00
		$916 00

1865.	PACIFIC COUNTY.	Cr.
April 20.	By cost bill in the case of the Territory vs Caroline Edwards,.....	$ 682 85
July 1.	By delinquent tax for '63 and '64,.....	3 90
Sept. 23.	By 122 blank poll tax receipts returned,...	127 37
Dec. 30.	Balance due this date,.....	101 88
		$916 00

1865.	PIERCE COUNTY,	Dr.
Jan. 1.	To balance of Territorial tax, as per last year's accounts,	$1362 42
July 30.	To amount assessed for 1865,	2178 04
Nov. 29.	To 21 blank Chinese police tax receipts,	63 00
		$3603 46

1865.	PIERCE COUNTY,	Cr.
April 14.	By 7 blank Chinese police tax receipts returned,	$ 21 00
Nov. 25.	By amount received from county treasurer,	800 00
Dec. 4.	By delinquent tax for 61'-2-3,	898 16
	By delinquent tax for '64,	548 11
	By cost bill in the case of the Territory vs. Hale,	149 11
	By 53 poll tax blank receipts returned,	55 33
Dec. 31.	By balance due this date,	1131 86
		$3603 46

1865.	SKAMANIA COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due, as per last year's accounts,	792 50
July 30.	To amount assessed for 1865,	680 90
		$1473 40

1865.	SKAMANIA COUNTY,	Cr.
Dec. 9.	By amount received from H. G. Struve, Esq., prosecuting attorney,	$558 00
Dec. 31.	By balance due this date,	915 40
		$1473 40

1865.	SNOHOMISH COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due, exclusive of assessment for '64, of which no returns have been made to this office, as per last year's accounts,.....	$ 1 22
July 30.	To amount assessed for '65,.....	202 20
		$203 42

No credits for the year '65.

1865.	STEVENS COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due, exclusive of of the amount assessed for '64, of which no return has yet been received at this office,.	$2940 40

No returns for the year '65 have been received by the Territorial Auditor, and no money paid into the Territorial treasury other than a draft for the sum of $1000, which has been forwarded to San Francisco, and when cashed will be placed to the credit of the county.

1865.	THURSTON COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due, as per last year's accounts,.....	$1345 05
March 24.	To 24 blank Chinese police tax receipts @ $3 each.....	72 00
July 29.	To amount assessed for the year '65,.....	2917 73
Nov. 20.	To 24 blank Chinese police tax receipts, @ $3 each,.....	72 00
		$4406 78

1865.	THURSTON COUNTY,	Cr.
April 10.	By amount received from county treasurer as follows, to-wit: Teritorial tax $342 72, Chinese tax, $45 26.....	$ 388 08
Oct. 11.	By amount received from county treasurer.....	100 00
Nov. 2.	By amount received from county treasurer.....	320 00
Dec. 10.	By amount received from county treasurer, as follows, viz: Territorial tax, $1808 59, Chines police tax, $47 69..	1856 28
" "	By 90 blank poll tax receipts returned,	93 96
" "	By delinquent tax for '63–64.....	650 00
" 30.	By balance due this date.....	998 46
		$4406 78

1865.	WAHKAIKUM COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due, as per last year's accounts,.....	$ 14 06
July 30.	To amount assessed for '65.....	19 40
		$33 46

1865.	WAHKIAKUM COUNTY,	Cr.
Jan. 26.	By amount received from county treasurer,..	$ 13 60
Dec. 31.	By balance due this date,.....	19 86
		$33 46

1865.	WALLA-WALLA COUNTY,	Dr.
Jan'y 1.	To balance Territorial tax due, as per last year's account,.....	$1420 07
March 20.	To 24 blank Chinese police tax receipts,..	72 00
June 20.	To 150 blank Chinese police tax receipts,..	450 00
July 30.	To amount assessed for '65,.....	6239 30
		$8181 37

1865.	WALLA-WALLA COUNTY,	Cr.
June 20.	By amount received from county treasurer,	$ 800 00
Oct. 20.	By amount received from county treasurer,	1000 00
Dec. 4.	By amount received from county treasurer, as follows: Territorial tax, $2044; Chinese police tax, $56,	2100 00
Dec 30.	Balance due this date	4281 37
		$8181 37

1865.	WHATCOM COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due, as per last year's account,	$1015 79
Feb. 4.	To 60 blank Chinese police tax receipts, @ $5	300 00
July 30.	Amount assessed for '65,	187 27
		$1503 06

1865.	WHATCOM COUNTY,	Cr.
June 16.	By 126 blank poll tax receipts returned,	$ 131 54
Sept. 23.	By amount received from county treasurer,	322 00
Dec. 30.	By balance due this date,	1049 52
		$1503 06

It will be seen by the foregoing, that no returns of assessments for the year 1864 have been received from the counties of Chehalis, Clickitat, Island, Snohomish and Stevens, and for the year 1865 from the counties of Clalm, Kitsap and Stevens, consequently the foregoing statements do not exhibit the full amount due the Territory from these counties. On the other hand, several of the counties have failed to furnish statements of their delinquent tax for 1863 and '64, as also to return blank poll tax receipts, which ought to appear to their credit.

The following is a list Warrants issued by the Territorial Auditor upon the Treasurer during the present year:

1865.		
Jan. 26.	Warrant No. 5, "D," to George House, Jr. for services as Enrolling and Engrossing Clerk of the Legislative Assembly of W. T., session 1859–60, as evidenced by certificate of President of Council on file, and in accordance with an act of Legisture passed Janury 26, 1864.....	$ 120 00
" "	Warrant No. 25, to Stephen Judson, Sheriff, of Pierce county, for board and keeping in Pierce county jail, one Nichlas Hale, a Territorial convict, from May 19 August 8, 1864—81 days, at $2 per day, by order of court, per act of Legislature, 1863, page 500.....	162 00
" "	Warrant No. 26, to Morris Baker, for board and keeping of Caroline Edwards, a terrial convict, in Clark county jail, from April 4, to November 20, 1864, 231 days, at $2 per day, as provided by act of Legislature, 1863, page 500.....	462 00
" "	Warrant No. 27, to Morris Baker, balance due him for board and keeping of Robert Glover, a Territorial convict, in Clark county jail, from April 4, to November 20, 1864, as provided by act of Legislature, 1863, page 500.....	419 25
Jan. 11.	Warrant No. 30, to H. G. Struve, for half year's salary as prosecuting attorney for 2d judicial district, W. T., ending on the 31st December, 1864.....	100 00
" 24.	Warrant No. 31, to Stephen Judson for keeping and care of an insane person in Steilacoom, W. T., from Oct. 14, 1863, to December 15, 1864.....	488 00
	Carried forward,.....	$ 1751 25

	Amount brought forward,.....	$ 1751 25
Jan. 24.	Warrant No. 32, to James Gallagher, for services as enrolling clerk of Legislative Assembly, W. T., session of 1864–5, 60 days, as per certificate of Speaker and President on file.....	300 00
" "	Warrant No. 33, to Elwood Evans, for his preparation for publication, indexing &c., of the opinions of the Supreme Court of the Territory of Washington, from December term 1854, to December term 1863, as per act of Assembly, passed January 13, 1865.....	700 00
" "	Warrant No. 34, H. G. Struve, for 20 day's service as prosecuting attorney for 2d judicial district of Washington Territory, from the 1st to the 21st January, 1865, being fractional part of the first quarter of the year 865, and up to the time of raising the salary of said officer, by act of the Legislative Assembly....	11 11
June 28.	Warrant No. 35, to H. G. Struve, for ser-	
" "	vices as prosecuting attorney, 2d judicial district, from January 21st to March 31st, 1865, as provided by act of Legislative Assembly, passed January 21st, 1865.....	166 66
" "	Warrant No. 36, to H. G. Struve, for one quarter's salary as prosecuting attorney for 2d judicial district, from March 31st, to June 30th, 1865.....	200 00
July 23.	Warrant No. 37, to Territorial Librarian for freight charges to Wells, Fargo & Co.'s Express, on packages of books for the Territorial Library.....	65 00
" "	Warrant No. 38, to David J. Chambers for rent of office for Territorial Librarian, from January 1st to July 31st, 1865....	49 00
	Amount carried forward,.....	$ 3243 02

	Amount brought forward,.....	$3243 04
July 23.	Warrant No. 39, to Joel Risden for cleaning and repairing Territorial arms, by direction of Quartermaster General, as provided by act of the Legislative Assembly, passed February 4, 1858,.....	70 00
July 23.	Warrant No. 40, to J. H. Munson, for stationery, box rent and postage stamps furnished for use of Territorial Auditor's and Treasurer's offices, from January 16th to July 31st, 1865,.....	25 50
Oct. 11.	Warrant No. 41, to Sheldon B. Fargo, for salary as prosecuting attorney for 1st Judicial District, for the quarter ending September 30, 1865,.....	200 00
Oct. 28.	Warrant No. 42, to Sheldon B. Fargo, for salary as prosecuting attorney for 1st Judicial District, from the 19th of September, 1863, to July 1st, 1865,.....	533 32
Nov. 15.	Warrant No. 43, to John Corless, for balance due for keeping Caroline Edwards and and Robert Glover, Territorial convicts, in Clarke county jail, by order of court, as per bill on file,.....	232 00
Nov. 15.	Warrant No. 44, to William Goldbeck, for balance due for keeping of Robert Glover, a Territorial convict, in Clarke county jail by order of court, as per bill on file,.	161 00
Dec. 4.	Warrant No. 45, to Sisters of Charity for keeping and care of insane persons in Asylum at Vancouver, during the 1st, 2d, 3d quarters of 1865, from January 1st to September 30, 1865, as per account on file, approved by the Governor of Washington Territory,.....	2057 10
		$6521 94

During the session of 1863 and '64 of the Legislative Assembly of Washington Territory, its committee on Ways and Means, with the assistance of Mr. Chas. Eagan, from and examination of the books and accounts of the Territorial Auditor and Treasurer, made a report to the Legislature of the "Financial Condition of the Territory of Washington, from its organization to the 31st December, 1863," which report was received by the Legislative Assembly on the 27th January, 1864, and upon it have been based the accounts of both the Auditor and Treasurer from that date.

By this report, all the counties in the Territory were represented as being heavily in arrears with the Territorial treasury, and the Territory itself as having an outstanding indebtedness of about $11,400. Feeling conscious that the report of the said committee was in many respects incorrect, and that too short a time had been devoted to the compilation of such a report with certainty and correctness from the confused mass of books and papers which constituted the accounts of the Auditor and Treasurer at that time, I took upon myself the duty of thoroughly examining the Territorial accounts from the beginning, and I am happy to say the result of my labor has proved that not only the counties are not so far behind as represented by said report, but the Territory was not indebted to the amount therein specified, by some six or seven thousand dollars, and has at this time in its treasury, means sufficient to pay all warrants outstanding which have not yet been presented for payment; and I am happy to say that the Territory, instead of being overwhelmed with a heavy indebtedness, is in a flourishing financial condition, as I trust the foregoing statement of accounts will clearly show.

I will here state, that not having had the time and opportunity of conferring with the treasurers of all the counties, I have not been able to make all corrections called for, which when made will considerably reduce the amount of indebtedness of many of the counties as shown by the foregoing exhibits.

I will take the liberty of remarking that the present system of issuing Territorial warrants in duplicate, the one set being retained by the Auditor, is (in my opinion), a very injurious and erroneous one. Apart from the possibility of these duplicate

warrants, by accident or otherwise, getting into the hands of parties who might make a dishonest use of them, they form in a short time a bulky, inconvenient and unsatisfactory record for finding out, at any time, the amount outstanding against the Territorial treasury. I would respectfully suggest that in lieu of making out duplicate warrants, the Auditor be instructed to keep a register of warrants issued, in tabular form, showing the number, date, amount, to whom payable, and for what payable, with an additional column in which to enter the date on which each warrant is redeemed. By such a register properly and correctly kept, it could be ascertained at a glance what warrants were out standing, and with very little trouble the indebtedness of the Territory could at any time be ascertained in a few moments.

Hoping that the foregoing report may be found clear and satisfactory, I submit it respectfully, and remain,

Your obedient servant,

RICHARD LANE,

Acting-Auditor of Washington Territory.

TO THE TERRITORIAL AUDITOR:

Sir—In pursuance of instructions received from your office, directing me to commence suits against different counties in the 2d Judicial District who are delinquent in the payment of Territorial taxes, I now beg leave to state that I commenced suits against the counties of Pacific, Cowlitz and Skamania.

The counties of Pacific and Cowlitz, after the commencement of suits, effected a settlement with the Territorial Treasurer, and in pursuance of instructions the suits were dismissed.

Against the county of Skamania a judgment of ($620 00) six hundred and twenty dollars was recovered in the District Court of the 2d Judicial district holding terms at Vancouver, which amount was paid to me and by me handed to the Territorial Treasurer—less the sum of sixty-two dollars, (being ten per cent. allowed by law to Prosecuting Attorneys in suits of this character) as shown per duplicate receipts of Territorial Treasurer herewith transmitted.

No other proceedings at law have been instituted by me in pursuance of your instructions.

I remain, respectfully,

Your obedient servant,

H. G. STRUVE,

Pros. Att'y. 2d Jud. Dist. W. T.

TERRITORIAL TREASURER'S REPORT.

TERRITORIAL TREASURER'S OFFICE,
Olympia, Jan 4, 1866.

To the Hon. Legislative Asssembly of Washington Territory:

James Tilton, Esq., late Treasurer of Washington Territory, having left the Territory, thereby creating a vacancy in that office, on the 17th day of October, 1865, I was appointed to fill the same by His Excellency Acting-Governor EVANS, and immediately entered upon its duties; and I now have the honor to submit the following report of the receipts and disbursements of Territorial revenue from January, 1865, to the present time:

TERRITORIAL TREASURER,

In account with Washington Territory, *Dr.*

To amount Territorial tax received from the following counties:

1865.			
Jan'y 26.	Whakiakum county	$	13 60
" "	Mason county,		27 67
March 6.	Cowlitz county,		290 00
April 8.	Lewis county,		60 12
" 10.	Thurston county,		388 08
" 14.	Pierce county,		48 00
" 28.	Walla-walla county,		800 00
May 22.	Jefferson county,		80 00
	Amount carried forward	$	1707 47

Amount brought forward,			$ 1707 47
May	22.	King county,	20 00
"	31.	Clalm county,	190 24
July	12.	Island county,	945 00
Sep't	23.	Whatcom county,	322 00
"	"	Pacific county,	37 25
"	"	King county,	27 00
Oct.	7.	Clalm county,	100 00
"	8.	Mason, county,	55 00
"	10.	Kitsap county,	600 00
"	"	Walla-walla county,	1000 00
"	11.	Thurston county,	100 00
"	13.	Jefferson county,	200 00
Nov,	25.	Jefferson county,	507 00
"	28.	Pierce county,	800 00
"	29.	King county,	1052 00
Dec.	4.	Walla-walla county,	2100 00
"	9.	Kitsap county,	1265 00
"	11.	Thurston county,	2176 28
"	"	Cowlitz county	370 00
"	12.	Island county,	700 00
"	30.	Skamania county,	166 00
1866.			
Jan'y	1.	Mason county,	66 00
"	"	Wahkiakum county,	19 86
"	"	Amount received from Recorder of Rainier Mining District,	30 00
			$14,556 10

ACCOUNT OF DISBURSEMENTS:

Feb'y	1.	By incidental expenses—Paid for furnishing 3000 blank poll tax receipts	$ 60 00
By paid warrant No. 12 of 1861			20 00
"	"	" 79 "	353 63
"	"	" 82 "	36 94
"	"	" 99 "	139 00
"	"	" 101 "	78 58
"	"	" 109 "	39 50
Amount carried forward,			$ 727 65

Amount brought forward.....	$	727 65
By paid warrant No 116 of 1861,.....		151 50
" " " 118 "		151 66
" " " 133 "		69 17
" " " 135 "		69 73
April 28. Incidental expenses: Paid express charges on money received from Walla-walla county.....		14 30
May 27. Paid for printing blank poll tax receipts,		20 00
June 30. Paid salary of Territorial Auditor,.....		300 00
July 10. Territorial warrants paid:		
By paid warrant No. 1 1862		100 00
" " " 2 "		100 00
" " " 2 "		275 73
" " " 6 "		206 36
By paid warrant No. 11 of 1862.....		100 00
" " " 18 "		100 00
By paid warrant No. 37 of 1865		65 00
" " " 38 "		49 00
July 30. By Territorial warrants paid:		
" " Warrant No. 39 1865.....		70 00
" " " " 40 "		25 50
Aug. 19. Incidental expenses—Paid salary of Auditor, ...		100 00
Sept. 2. Territorial warrants paid:		
By paid warrant No. 2½ of 1863,.....		75 00
" " " 3 "		300 00
" " " 4 "		300 00
" " " 5 "		100 00
" " " 8 "		200 00
" " " 9 "		92 00
" " " 15 "		100 00
" " " 21 "		100 00
" " " 21 "		100 00
" " " 28 "		52 75
Carried forward,.....	$	4115 35

Amount brought forward,			$ 4115 35
By paid warrant No. 115 of '63			100 00
" " " 116½ "			25 00
Oct. 12.	Incidental expenses paid:		
" "	For stationery,		13 00
" 13.	For express charges on money received from Walla-walla,		22 00
	Territorial warrants paid:		
	Warrant No. 6 of 1864,		100 00
	" " 30 1865,		300 00
" 20,	Incidental expenses paid:		
	For express charges on remittance from Kitsap county,		6 00
Dec. 1.	Paid 12 months rent of office for Auditor and Treasurer,		120 00
	Paid James Tilton, Treasurer, per centage on collections and disbursements,		204 56
" "	By amount Gov. direct tax paid to collector Moore, April 7th, 1865,		70 40
Paid warrant No. 10 of '62,			100 00
" 9.	Incidental expenses paid:		
" "	For express charges on remittance from Kitsap county,		12 65
" 11.	For salary of Auditor in full,		100 00
Paid warrant No. 89 of 1861,			292 00
" " " 137 "			100 00
" " " 3 1862,			37 82
" " " 7 "			410 72
" " " 16 "			91 68
" " " 6½ 1863,			100 00
" " " 12½ "			45 00
Amount paid collector Moore, Government direct tax collected,			112 62
Paid warrant No. 13 '63,			21 00
" " " 16 "			75 00
" " " 27 "			12 00
Carried forward,			$ 6586 80

Amount brought forward	$ 6586 80
Paid warrant No. 4 1864,	200 00
" " " 5 'D' 1864	120 00
By paid warrant No. 34 of 1865	11 11
Paid warrant No. 31 of 1865	124 50
" " " 5 1864	220 00
" " " 9 "	24 00
" " " 21 "	100 00
" " " 30 1865	100 00
" " " 33 "	700 00
" " " 92 1861	30 60
" " " 10 1863	75 00
" " " 5 'B' 1864,	15 00
" " " 7 "	115 00
" " " 26 "	462 00
" " " 27 "	419 25
By paid Jas. K. Kennedy, prosecuting attorney for 3d judicial district of W. T., his salary for first, second and third quarters of 1865	516 67
Paid H. G. Struve, prosecuting attorney for the 2d judicial district of W. T., his salary for third quarter of 1865	200 00
Paid warrant No. 0 of '63	10 00
Paid warrant No. 29 of '63	12 00
Paid warrant No. 7 of '64	100 00
Paid warrant No. 32 of '65	300 00
Paid warrant No. 15 of '64	6 00
Paid warrant No. 45 of '65	2057 10
Paid warrant No. 25 of '62,	162 00
Paid Rufus Willard for stationery furnished R. M. Walker,	41 25
Paid H. G. Struve, prosecuting attorney for 2d judicial district, W. T., his salary for 4th quarter '65,	200 00
Jan'y 3. By per centage on receipts and disbursements as follows, viz: 2 per cent. on $9,177 88 received, $183 56; 2 per cent. on $8,066 53 disbursed, $161 34,	344 89
By balance on hand,	1302 93
	$14,556 10

I subjoin a statement of Territorial warrants outstanding and unpaid warrants up to this date:

WARRANTS OF 1863.

NO.	TO WHOM PAYABLE.	AMOUNT.
6	J. W. Grant,	$ 100 00
7	Lycurgus Jackson,	236 50
11	Steamer "Eliza Anderson,"	46 50
12	William A. Brandow,	4 00
17	David J. Chambers,	27 50
18	Daniel Bagley,	100 00
29	Daniel Bagley,	136 00
33	Edmund Carr,	166 00
10	Sheldon B. Fargo,	100 00

WARRANTS OF 1864.

10	W. G. Langford,	100 00
12	A. H. Sheffield,	142 28
13	A. H. Sheffield,	326 86
17	A. H. Sheffield,	200 00
5 "c"	Chas. C. Cushman,	80 00

WARRANTS OF 1865.

35	H. G. Struve,	166 66
36	H. G. Struve,	200 00
41	Sheldon B. Fargo,	100 00
42	Sheldon B. Fargo,	533 32
43	John Corliss,	232 00
44	William Goldbeck,	161 00
		$3258 62

I have reason to believe that most of the foregoing warrants issued in 1863 have been paid, although they do not so appear from the books of that year, but I ground my belief on the fact that these warrants were advertised by my predecessor in July last, and up to this time have not been presented for payment.

The foregoing report fully exhibits all the moneys received and disbursed during the year 1865, with the exception only of

a draft received from Stevens county for one thousand dollars, which has been forwarded to San Francisco for presentation, and when cashed, the amount will be placed to the credit of that county.

Hoping that the foregoing report may be found clear and sotisfactory, I respectfully submit the same.

I remain your obedient servant,

BENJ. HARNED,
Territorial Treasurer.

HOUSE OF REPRESENTATIVES,
Saturday, January 6, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Doane, Downey, Hathaway, Morgan, McCaw, McAuliff, Ruddell, Rowe, Sexton, Struve, Tripp and Urquhart and Weeks, Smith, Grenell, Dray, Ford and Miller of Thurston.

Absent—Messrs. Buzby, Lloyd, Lee, Mix, Miller of Kitsap, McLane and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. J. M. No. 9—Praying Congress for an appropriation for the establishment of a mail route from Wallula to Seattle.

H. J. M. No. 2—Relative to the establishment of an agricultural college.

C. J. R. No. 4—Relative to capitol and penitentiary funds.

H. B. No. 4—An act to authorize William Nix and James Monahan to construct a bridge across Spokane river.

H. B. No. 32—An act to authorize James Lee to establish a ferry on the Columbia river.

H. J. M. No. 5—Praying for the extension of mail route No. 15402.

H. B. No. 19—An act to amend an act entitled an act to authorize Willis Powell and Thomas Powell to construct and keep a Ferry on the Cathapoodle river, passed January 11, 1865.

JAMES URQUHART,
Chairman.

Mr. Sexton, from the committee on Corporations, submitted the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river,

Have considered the same, and recommend that it do pass without amendment.

B. N. SEXTON,
Chairman.

On motion of Mr. Andrews,

Report received and committee discharged from further consideration of the bill.

Mr. Tripp, from the comittee on Military Affairs, submitted the following report:

MR. SPEAKER—

Your committee on Military Affairs to whom was referred

C. J. M. No. 1—Praying for an appropriation for the improvement of mail route from Olympia to Monticello,

Have had the same under consideration, and direct me to report the same back and recommend its passage with the subjoined amendments.

All of which is respectfully submitted.

A. G. TRIPP,
Chairman.

Strike out "mail route" and insert "military road;" and strike out "Monticello" and insert "Vancouver;" and strike out "twenty" and insert "fifty."

On motion of Mr. Hathaway,

Report received and committee discharged from the further consideration of the subject.

Mr. McLane, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee, to whom was referred

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia,

Having considered the same, have instructed me to report the bill back to the House without amendment, and recommend its passage.

All of which is respectfully submitted.

WM. McLANE,
Chairman.

On motion of Mr. Miller of Thurston,

Report received and committee discharged from further consideration of the bill.

Mr. Clymer, from the committee on Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 12—Relative to Indians residing in Stevens county,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend its passage with the following amendment:

Resolved by the Legislative Assembly, That the Hon. A. A. Denny is hereby instructed to use his influence for the appointment of one or more agents for the purpose specified in this memorial.

C. CLYMER,
Chairman.

On motion of Mr. Smith,

The report was received and the committee discharged from further consideration of the memorial.

Mr. Ford, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee appointed to report a bill to apportion the representation of Washington Territory in the Legislative Assembly, have had the same under consideration, and have instructed me to report the accompanying bill.

All of which is respectfully submitted.

G. FORD,
Chairman.

Mr. Struve asked till Monday to present a minority report.

Mr. Hathaway moved the time asked be extended.

Motion lost.

Mr. McLane moved that the report be laid on the table and be the order of the day for Monday next.

Motion carried.

Mr. McLane in the chair.

Mr. Andrews, of King, introduced

H. J. R. No. 9—Relative to the Northern Pacific Rail Road.

Resolution read first time.

On motion of Mr. Clymer,

The rules were suspended and the resolution read second time.

On motion of Mr. Grenell,

Resolution was referred to committee on Memorials.

Mr. Eldridge, of Whatcom, introduced

H. B. No. 61—An act to incorporate the California State Telegraph Company.

Bill read first time.

On motion of Mr. Hathaway,

The rules were suspended and the bill read the second time.

On motion of Mr. Struve,

The bill was referred to committee on Corporations.

On motion of Mr. McLane,

The committee on Judiciary were instructed to report at an early day a bill to fix the times and places of holding the District Courts of this Territory.

Mr. Struve, of Clarke, introduced

H. B. No. 62—An act concerning minors, their rights and liabilities.

Bill read first time.

On motion of Mr. Ruddell,

The bill was laid on the table and ordered printed.

Second reading of bills.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company.

Bill read second time.

On motion of Mr. Urquhart,

The rules were suspended and the bill read a third time, passed and the title agreed to.

On motion of Mr. McAuliff,

The House took a recess for fifteen minutes.

House re-assembled.

H. B. No. 45—An act to regulate fees and costs of certain officers in the county of Kitsap, with report of committee thereon, taken up.

On motion of Mr. Clark,

The report of the committee was adopted.

Bill read second time.

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company, taken up, with report of committee thereon.

On motion of Mr. Hathaway,

The report of the committee was adopted.

Bill read third time, passed and title agreed to.

H. J. M. No. 11—Relative to school lands, with report of committee thereon, taken up.

On motion of Mr. Ruddell,

The report of the committee was adopted.

Memorial read second time.

On motion of Mr. Clymer,

The rules were suspended and the memorial read the third time and passed.

H. B. No. 51—An act in relation to licenses in King county, with report of committee thereon, taken up.

On motion of Mr. Andrews,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Clymer,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

H. B. No. 35—An act to regulate partition fences, with the report of committee thereon, taken up.

On motion of Mr. Hathaway,

The report of the committee was laid on the table.

Bill read second time.

Mr. Clymer moved that the bill be indefinitely postponed.

Mr. Hathaway moved to lay that motion on the table.

Motion lost.

Mr. Hathaway moved that the House go into committee of the Whole to consider the bill.

Mr. Clymer moved to lay that motion on the table.

Motion carried.

Mr. Hathaway moved that the bill be postponed till Tuesday next.

Motion carried.

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia, with report of committee thereon, taken up.

On motion of Mr. Ruddell,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. McLane,

The rules were suspended and the bill read a third time, passed and the title agreed to.

H. J. M. No. 12—Relative to Indians residing in Stevens county, with report of committee thereon.

Report amended and adopted.

Memorial read second time.

Mr. Ford moved to insert in line 16, after the word with, the words "east of the Cascade mountains."

Amendment adopted.

On motion of Mr. McAuliff,

The rules were suspended and the memorial was read third time and passed.

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello, with report of committee thereon, taken up.

On motion of Mr. Ford,

The report was laid on the table.

Memorial read second time.

On motion of Mr. Hathaway,

The memorial was referred back to the committee on Military Affairs.

The Speaker announced that he was about to sign the following:

H. J. M. No. 9—Praying Congress for an appropriation for the establishment of a mail route from Wallula to Seattle.

H. J. M. No. 2—Relative to the establishment of an agricultural college.

C. J. R. No. 4—Relative to capitol and penitentiary funds.

H. B. No. 4—An act to authorize William Nix and James Monahan to construct a bridge across Spokane river.

H. B. No. 32—An act to authorize James Lee to establish a ferry on the Columbia river.

H. J. M. No. 5—Praying for the extension of mail route No. 15402.

H. B. No. 19—An act to amend an act entitled an act to authorize Willis Powell and Thomas Powell to construct and keep a Ferry on the Cathapoodle river, passed January 11, 1865.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 56—An act to repeal an act entitled "an act to regulate suits for divorce and alimony,"

Beg leave to report the same back and recommend the passage of the accompanying substitute.

H. G. STRUVE,
Chairman.

On motion of Mr. Sexton,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. McLane,

The report was adopted.

Substitute for H. B. No. 56—An act to repeal an act entitled an act to regulate suits for divorce and alimony, passed January 27th, 1864.

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill was read a second time.

On motion of Mr. Struve,

The rules were further suspended, the bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 6, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of

C. B. No. 20—An act to establish pilotage on the Columbia river bar and Shoalwater Bay.

C. B. No. 21—An act to amend the revenue law.

C. B. No. 22—An act to repeal an act entitled "an act to amend an act relative to crimes and punishments and proceedings in criminal cases," passed January 28, 1863.

Also the passage of

H. B. No. 50—An act to restrain and license dance houses in the counties of Kitsap, Jefferson and King.

Also that the President has signed

C. B. No. 9—An act to authorize O. F. Gerrish and H. L. Tibbals and associates to build a wharf at the foot of Taylor street in Port Townsend.

H. J. M. No. 1—Praying for an appropriation to build a wagon road from Walla-walla to Seattle.

H. J. M. No. 3—Praying for the establishment of a mail route from Helena, Montana, to Wallula.

House Joint Resolution No. 1—Relative to a joint committee to wait upon the Governor.

H. J. R. No. 2—Relative to the election of Public Printer,

House substitute for C. J. R. No. 3—Relative to retaining in office the Hon. F. A. Wilson, Collector of Customs of Puget Sound District, No. 103.

H. J. R. No. 4—Relative to the Union.

H. J. R. No. 5—Relative to adjourning over the holidays.

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county.

H. B. No. 2—An act conferring certain powers upon the city of Walla-walla.

H. B. No. 3—An act to establish the southern boundary of King county.

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county.

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver.

H. B. No. 11—An act appointing an Enrolling Clerk, and providing for payment for his services.

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla.

H. B. No. 18—An act to locate a Territorial Road from Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county.

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes.

H. B. No. 21—An act allowing the tax-payers of Chehalis, residing at Gray's Harbor, to perform their road labor on the tide-water in removing obstructions and staking out the channel of said harbor,

H. B. No. 22—An act authorizing S. W. Percival to build a wharf in the town of Olympia,

H. B. No. 23—An act to repeal an act entitled an act to regulate the fees of County Auditor and Probate Judge of the county of Kitsap.

H. B. No. 30—An act to provide for the payment of the costs and expenses of keeping and maintaining the insane and idiotic persons.

H. B. No. 38—An act to amend an act to incorporate the Washington Woolen Manufacturing Company.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Ford,

Mr. Sexton was added to the committee on Military Affairs.

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river, with report of the committee thereon, taken up.

On motion of Mr. McCaw,

The report of the committee was adopted.

Bill read second time by title.

On motion of Mr. Andrews,

The rules were suspended and the bill read a third time, passed and the title agreed to.

C. B. No. 10—An act to legalize the marriages between

James Reynes and Isabella Newton, a Clalm Indian, and William Newton and Isabella Adams, a Clalm Indian, taken up with the report of the committee thereon.

On motion of Mr. McAuliff,

The report of the committee was adopted.

Bill read second time.

Mr. Clymer moved that the bill be referred to the committee on Judiciary.

Mr. Grenell moved to lay that motion on the table.

Motion lost.

Mr. Struve moved that the bill be referred to Jefferson county delegation.

Motion carried.

H. B. No. 50—An act to restrain and license dance houses in the counties of Kitsap, Jefferson and King, with amendments by the Council, taken up.

On motion of Mr. Miller of Kitsap,

The House concurred in Council amendments.

C. B. No. 18—An act supplementary to an act to permanently locate the county seat of Kitsap county.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill was read second time.

On motion of Mr. Clark,

The bill was referred to committe on Elections.

Mr. McAuliff moved to suspend the rules and take from the table

H. B. No. 28—An act in relation to landlord and tenant.

Motion carried.

Mr. Tripp moved to adjourn.

Motion lost.

Mr. Clymer moved a call of the House.

Motion carried.

Roll called.

On motion of Mr. Smith,

The Sergeant-at-arms was dispatched for absent members.

On motion of Mr. Weeks,

The further call of the House was dispensed with.

C. J. R. No. 6—Relative to adjourning *sine die*, taken up.

Mr. Hathaway moved its indefinite postponement.

Mr. McCaw moved to lay that motion on the table.

Motion lost.

Mr. Clymer moved a call of the House.

Motion carried.

Roll called. Absent—Messrs. Grenell, Miller of Thurston, Morgan, McLane, McAuliff, Smith and Tripp.

On motion of Mr. Andrews,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 9, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Doane, Downey, Hathaway, Morgan, McCaw, McAuliff, Ruddell, Rowe, Sexton, and Urquhart and Buzby, Weeks, Smith, Grenell, Ford and Miller of Thurston.

Absent—Messrs. Dray, Lloyd, Lee, Mix, Miller of Kitsap, Struve, Tripp, McLane and Vansickle.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. McAuliff, from the committee on Ways and Means, submitted the following majority report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred a communication from James G. Cooper and others, addressed to the Legislative Assembly of Washington Territory, have had the same under consideration, and the committee have requested me to report the same back without recommendation.

JAMES McAULIFF,
Chairman.

On motion of Mr. Briggs,

Report received and committee discharged from the further consideration of the subject.

Mr. Buzby, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 36—An act repealing an act entitled "an act to locate and establish a Territorial road from Skagit Head to Deception Pass in Island county,"

Have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

JAMES BUZBY,
Chairman.

On motion of Mr. McCaw,

Report received and committee discharged from further consideration of the bill.

Mr. Tripp, from the comittee on Military Affairs, submitted the following report:

MR. SPEAKER—

Your committee on Military Affairs to whom was referred

C. J. M. No. 1—Praying for an appropriation for the improvement of mail route from Olympia to Monticello,

Have had the same under consideration, and direct me to report the same back and recommend its passage with the following amendments:

Strike out the word "twenty," in line 11, printed copy, and insert "thirty" instead.

Insert after the word "Monticello," line 12, "and your memorialists would respectfully recommend that a commission of three, consisting of L. A. Davis, Henry Winsor and S. S. Ford, Sen., be appointed to supervise and direct the expenditure of said money, and that they be allowed a reasonable compensation for such service."

All of which is respectfully submitted.

A. G. TRIPP,
Chairman.

On motion of Mr. Hathaway,

The report was received and the committee discharged from further consideration of the memorial.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 50—An act to restrain and license dance houses in the counties of Kitsap, Jefferson, King and Clarke.

JAMES URQUHART,
Chairman.

The Speaker announced that he was about to sign the following:

C. B. No. 9—An act to authorize O. F. Gerrish and H. L. Tibbals and associates to build a wharf at the foot of Taylor street in Port Townsend.

H. B. No. 50—An act to restrain and license dance houses in the counties of Kitsap, Jefferson, King and Clarke.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, who were instructed to report a bill fixing the times and places of holding terms of the

District Courts in this Territory, beg leave to report the accompanying bill, entitled

H. B. No. —An act defining the several judicial districts in the Territory of Washington, and to regulate the holding of terms of the District Courts therein, and respectfully recommend the passage of the same.

H. G. STRUVE,
Chairman.

On motion of Mr. Sexton,

Report received and committee discharged from further consideration of the bill.

Mr. Clymer, from the committee on Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. R. No. 9—Relative to the Northern Pacific Rail Road,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend its passage.

C. CLYMER,
Chairman.

On motion of Mr. McLane,

Report received and committee discharged from further consideration of the bill.

Mr. Andrews, chairman of committee on Elections, submitted the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

C. B. No. 18—An act to permanently locate and establish the county seat of Kitsap county,

Have had the same under consideration, and beg leave to recommend that the title be amended so as to read as follows:

C. B. No. 18—An act supplementary to an act to permanently locate the county seat of Kitsap county.

All of which is respectfully submitted.

L. T. B. ANDREWS,
Chairman.

On motion of Mr. Clymer,

Report received and committee discharged from further consideration of the bill.

Mr. Buzby, from the committee on Roads and Highways, submitted the following report:—

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. J. M. No. 8—In relation to a military road from Willopa to Black river,

Have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

JAMES BUZBY,
Chairman.

On motion of Mr. Weeks,

Report received and committee discharged from the further consideration of the subject.

Mr. Morgan, of Jefferson, submitted the following report:

MR. SPEAKER—

The delegation from Jefferson county, to whom was referred

C. B. No. 10—An act to legalize the marriages between James Reynes and Isabella Newton, a Clalm Indian, and William Newton and Isabella Adams, a Clalm Indian,

Have had the same under consideration, and report it back with the accompanying substitute, and recommend the passage of the substitute.

H. E. MORGAN,
Chairman.

On motion of Mr. McAuliff,

Report received and committee discharged.

On motion of Mr. Grenell,

The rules were suspended to enable Mr. McLane to introduce a memorial.

Mr. McLane, of Thurston, introduced

H. J. M. No. 13—Relative to absence of Federal officers of Washington Territory.

Memorial read first time.

On motion of Mr. Miller of Thurston,

The rules were suspended and the memorial read second time.

On motion of Mr. Smith,

The memorial was referred to committee on Memorials.

Mr. Smith, of Stevens, introduced

H. J. M. No. 14—Relative to cod and other fisheries on the Pacific coast.

Memorial read first time.

On motion of Mr. Andrews,

The rules were suspended and the memorial read second time.

On motion of Mr. Briggs,

The memorial was referred to committe on Memorials.

On motion of Mr. McLane,

The rules were suspended and passage of

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia, was reconsidered.

On motion of Mr. McLane,

The bill was amended as follows: "That said exclusive privilege shall not extend beyond fifteen years."

Bill read third time, passed and title agreed to.

Mr. Downey, of Pierce, introduced

H. B. No. 64—An act for the better observance of Sunday.

Bill read first time.

On motion of Mr. Hathaway,

The rules were suspended and the bill was read second time.

On motion of Mr. Ford,

The bill was referred to the committee on Counties.

Mr. Smith in the chair.

Mr. Rowe, of Kitsap, introduced

H. B. No. 65—An act regulating the hours of manual labor.

Bill read first time.

On motion of Mr. McCaw,

The rules were suspended and the bill read the second time.

On motion of Mr. Morgan,

The bill was referred to committee on Counties.

Mr. Clymer, of King, introduced

H. B. No. 66—An act relative to the duties of county auditor.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read second time.

On motion of Mr. McAuliff,

The bill was referred to committe on Judiciary.

Mr. Eldridge, of Whatcom, introduced

H. J. M. No. 15—Relative to San Juan Island.

Memorial read first time.

On motion of Mr. Ruddell,

The rules were suspended and the memorial read second time.

On motion of Mr. McCaw,

The memorial was referred to committee on Memorials.

Mr. Speaker in the chair.

Mr. Grenell, of Clalm, introduced

H. B. No. 67—An act in relation to licenses in Clalm county.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read second time.

On motion of Mr. Struve,

The bill was referred to committee on Counties.

Second reading of bills.

H. B. No. 59—An act to preserve the purity of elections and guard against the abuse of the elective franchise, by a registration of electors.

Bill read second time.

On motion of Mr. Clark,

The bill was referred to committe on Elections.

H. B. No. 62—An act concerning minors, their rights and liabilities.]

Bill read second time.

On motion of Mr. Dray,

The bill was referred to committee on Rules and Orders.

H. B. No. —An act defining the several judicial districts in the Territory of Washington, and to regulate the holding of terms of the District Courts therein, taken up with the report of the Judiciary committee.

On motion of Mr. Hathaway,

The report of the committee was adopted.

Bill read first time.

On motion of Mr. Grenell,

The rules were suspended and the bill was read a second time.

Mr. Miller, of Kitsap, moved that the bill be referred to a Select committee of seven.

Motion carried.

The Speaker appointed Messrs. Miller of Kitsap, Andrews, Clark, McAuliff, Sexton, Smith and McCaw.

On motion of Mr. Morgan,

The committee were instructed to report to-morrow at 11 o'clock.

C. B. No. 12—And act to amend an act entitled an act to incorporate the University of Washington Territory, passed January 24, 1862.

Bill read second time.

On motion of Mr. Andrews,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

H. B. No. 60—An act to apportion the representation of Washington Territory in the Legislative Assembly, taken up with report of Special committee thereon.

On motion of Mr. Ruddell,

The report of the committee was adopted.

Bill read first time.

On motion of Mr. Urquhart,

The rules were suspended and the bill read the second time.

Mr. Sexton moved to amend by striking out, in line 2, Sec. 2, the word "five," and insert the word "six" in lieu thereof.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Dray, Grenell, Hathaway, Sexton, Struve, Tripp, Urquhart and Mr. Speaker—8.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Doane, Downey, Ford, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Smith and Weeks—18

Motion lost.

Mr. Grenell moved to amend by adding that "Jefferson and Clalm be entitled to one joint member."

Motion lost.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 8, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage by the Council of the following:

C. B. No. 16—An act for the appointment of a board of commissioners to revise and prepare a code of laws for the Territory of Washington.

H. B. No. 55—An act repealing an act entitled "an act making county auditors *ex officio* clerks of the probate courts of their respective counties.

C. B. No. 20—An act to establish pilotage on the Columbia river bar and Shoalwater Bay.

N. S. PORTER,
Chief Clerk.

Mr. Urquhart moved the "county of Chehalis one" and "Mason one," be stricken out, and the "counties of Chehalis and Mason one," be inserted in lieu thereof.

Upon this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Clark, Dray, Grenell, Hathaway, Sexton, Struve, Tripp, Urquhart and Mr. Speaker—10.

Those who voted in the negative are—

Messrs. Briggs, Buzby, Clymer, Doane, Downey, Ford, Miller of Thurston, Miller of Kitsap, Morgan, McCaw, McAuliff, Ruddell, Rowe, Smith and Weeks—15.

Motion lost.

Mr. Miller of Kitsap moved that the rules be suspended and the bill be read third time.

Upon which motion the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Clark, Clymer, Doane, Downey, Ford, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McAuliff, Ruddell, Rowe, Smith, Weeks and Mr. Speaker—17.

Those who voted in the negative are—

Messrs. Andrews, Dray, Grenell, Hathaway, Sexton, Struve, Tripp and Urquhart—8.

Motion carried.

Bill read third time.

On the passage of the bill, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey,

Ford, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McAuliff, Ruddell, Rowe, Smith, Weeks and Mr. Speaker—18.

Those who voted in the negative are—

Messrs. Andrews, Grenell, Hathaway, Sexton, Struve, Tripp and Urquhart—7.

Bill passed and title agreed to.

H. B. No. 57—An act relating to suits in foreign judgments, taken from the table.

Bill read third time, passed and title agreed to.

H. B. No. 28—An act in relation to landlord and tenant, taken up.

Bill read third time, passed and title agreed to.

Mr. Ford moved to suspend the rules and take from the table report of committee on

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello.

Motion carried.

On motion of Mr. Urquhart,

The name of A. R. Burbank was stricken out, and the name of L. A. Davis inserted in lieu thereof.

On motion of Mr. Ford,

Report as amended adopted.

Memorial read second time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the memorial read the third time and passed.

On motion of Mr. McCaw,

The rules were suspended to enable the committee on Counties to submit a report.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties to whom was referred

H. B. No. 65—An act regulating the hours of manual labor, and

H. B. No. 67—An act in relation to licenses in Clalm county,

Have had the same under consideration, and have directed me to report them back and recommend their passage.

All of which is respectfully submitted.

SAMUEL McCAW,
Chairman.

On motion of Mr. Rowe,

Report received and committee discharged from further consideration of the bills.

Mr. Miller, of Kitsap, moved to suspend the rules and take from the table

C. J. R. No. 5—Relative to new business.

Motion carried.

Resolution read first time.

Mr. Sexton moved to amend by striking out "Thursday" and inserting "Monday, 15th."

Mr. Struve moved to lay that motion on the table.

Motion lost.

The question recurring on the motion to amend, it was carried.

Mr. Clymer moved to amend by striking out "Monday, 15th" and inserting "Wednesday the 10th."

Motion lost.

Mr. Struve moved to amend by striking out "Monday, 15th" and inserting "Friday the 12th."

Mr. Grenell moved to lay that motion on the table.

Motion carried.

On motion of Mr. Miller of Kitsap,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 9, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Dray, Doane, Hathaway, Morgan, McCaw, Ruddell, Rowe, Sexton, Struve, Tripp, McLane, Grenell, Smith, McAuliff, Miller of Thurston, Buzby, Urquhart and Weeks.

Absent—Messrs. Downey, Lloyd, Lee, Mix, Miller of Kitsap, Ford and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Clymer, from the committee on Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 15—Relative to San Juan Island,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend its passage.

C. CLYMER,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged from the further consideration of the subject.

Mr. Smith, from the committee on Rules and Orders, made the following report:

MR. SPEAKER—

The committee on Rules and Orders, to whom was referred

H. B. No. 62—An act concerning minors, their rights and liabilities,

Having considered the same, have instructed me to report

the bill back to the House without amendment, and recommend its passage.

H. F. SMITH,
Chairman.

On motion of Mr. McLane,

Report received and committee discharged from further consideration of the bill.

Mr. Clymer, from the committee on Memorials, reported as follows:

MR. SPEAKER—

Your committee on Memorials to whom was referred

H. J. M. No. 14—Relative to cod and other fisheries on the Pacific coast,

Have considered the same, and recommend that it do pass without amendment.

C. CLYMER,
Chairman.

On motion of Mr. Weeks,

The report was received and the committee discharged from further consideration of the memorial.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. No. 64—An act for the better observance of Sunday,

Have had the same under consideration and direct me to report the same back and recommend that the bill do pass.

SAMUEL McCAW,
Chairman.

On motion of Mr. Clark,

Report received and committee discharged from further consideration of the bill.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 23, 1863,

Beg leave to report the same back and recommend the passage of the bill with the addition of the following amendment:

Strike out Sec. 3d and add after Sec. 2d the following:

"Sec. 3. But nothing in this act shall be so construed as to preclude any party, if he shall so elect, from commencing a civil action before any justice of the peace in the manner prescribed by the act to which this is amendatory.

"Sec. 4. This act to take effect and be in force from and after its passage.

H. G. STRUVE,
Chairman.

On motion of Mr. Sexton,

Report received and committee discharged from further consideration of the bill.

H. B. No. 68—An act creating the office of Territorial Superintendent of Common Schools and defining his duties.

Bill read first time.

On motion of Mr. Andrews,

The rules were suspended and the bill was read a second time.

On motion of Mr. Struve,

The bill was referred to committee on Education.

Mr. Hathaway, of Clarke, introdueed

H. B. No. 69—An act establishing a common school system for the Territory of Washington.

Bill read first time.

On motion of Mr. Grenell,

The rules were suspended and the bill read the second time.

On motion of Mr. Hathaway,

The bill was laid on the table and ordered printed.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 70—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts.

Bill read first time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill was read second time.

On motion of Mr. McLane,

The bill was referred to committee on Judiciary.

Mr. Clark, of Clarke, introduced

H. B. No. 71—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864.

Bill read first time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill was read second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Commerce.

Mr. Hathaway, of Clark, introduced

H. B. No. 72—An act to locate and re-locate a road from the junction of Lake river, in Clarke county, with Columbia Slough to the upper line of Wm. H. Dillon's donation land claim.

Bill read first time.

On motion of Mr. Struve,

The rules were suspended and the bill read the second time.

On motion of Mr. McCaw,

The bill was referred to Clarke county delegation.

Mr. Sexton, of Walla-walla, introduced

H. J. R. No. 16—Protesting against the disintegration of Washington Territory.

Resolution read first time.

On motion of Mr. McAuliff,

The rules were suspended and the resolution read second time.

On motion of Mr. Morgan,

The rules were further suspended and the resolution was read third time and passed.

On motion of Mr. McCaw,

The clerk was instructed to report the passage of the resolution to the Council.

Mr. McLane moved that the rules be suspended to take up C. B. No. 10—An act to legalize the marriages between James Reynes and Isabella Newton, a Clalm Indian, and William Newton and Isabella Adams, a Clalm Indian, with the report of the committee thereon.

Motion carried.

On motion of Mr. Ruddell,

The report of the committee was laid on the table and ordered printed.

On motion of Mr. Doane,

The rules were suspended to take from the table C. B. No. 20—An act to establish pilotage on the Columbia river bar and Shoalwater Bay.

Bill read first time.

On motion of Mr. Ford,

The rules were suspended and the bill was read second time.

On motion of Mr. Morgan,

The bill was referred to committee on Commerce.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 9, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of

C. B. No. 23—An act to repeal an act to provide for the

acknowledgment of deeds out of this Territory, passed January 21, 1865.

C. B. No. 24—An act empowering the Cascade Railroad Company to transfer its rights, privileges, and property to the Oregon Steam Navigation Company.

C. B. No. 25—An act to further amend an act entitled "an act to incorporate the Cascade Railroad Company," passed January 31, 1859.

C. B. No. 26—An act authorizing the Oregon Steam Navigation Company to purchase, own, use and enjoy the property, real, personal and mixed, belonging to the Cascade Railroad Company.

C. B. No. 27—An act authorizing C. C. Terry, D. T. Denny and H. L. Yesler to make and sell gas to light the town of Seattle.

C. B. No. 28—An act authorizing Henry L. Yesler, D. T. Denny and William Perkins to construct a rail road from a point on Lake Washington to the coal region in Township 24, North Range 5 East.

C. B. No. 29—An act appointing a Recorder of Mount Rainier Mining District and locating the office.

Also the passage by the Council of the following:

C. B. No. 8—An act relating to elections and the mode of supplying vacancies.

C. B. No. 11—An act to provide for the formation of corporations for certian purposes.

C. B. No. 17—An act to amend an act entitled "an act to amend an act entitled 'an act to provide for the assessing and collecting the Territorial and county revenue.'"

C. B. No. 19—An act to repeal an act entitled "An act to provide for the Public Printing and the distribution of the Laws and Journals."

H. B. No. 42—An act to amend an act entitled "an act relative to crimes and punishments in criminal cases."

H. B. No. 47—An act in relation to the road tax in Whatcom county,

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington.

Also passage of the following with amendments:

H. B. No. 20—An act relating to Witnesses and Evidence.

H. B. No. 25—An act to regulate marriages.

Also the indefinite postponement of the following:

H. B. No. 17—An act to restrain and license public dance houses in the Territory of Washington.

Also passage of the following:

H. J. R. No. 3—Relative to a joint convention to receive the Governor's message.

N. S. PORTER,
Chief Clerk.

H. B. No. 20—An act relating to witnesses and evidence; taken up with Council amendment.

On motion of Mr. Hathaway,

The House concurred in Council amendment.

Mr. Struve, of Clarke, introduced

H. J. R. No. 17—Relative to the amendment of bills, memorials, &c.

Resolution read first time.

On motion of Mr. Andrews,

The rules were suspended and the resolution read second time.

On motion of Mr. Ruddell,

The rules were further suspended and the resolution read third time and passed.

On motion of Mr. Clymer,

The clerk was instructed to report the passage of the resolution to the Council.

On motion of Mr. Clark,

The House took a recess for half an hour.

The hour for the meeting of the House having arrived, on motion, Mr. Miller, of Kitsap, was selected Speaker *pro tem.*

H. B. No. 25—An act to regulate marriages, taken up with Council amendments.

On motion of Mr. Struve,

The House refused to concur in Council amendments to the bill.

H. J. R. No. 3—Relative to joint convention to receive the Governor's message.

On motion of Mr. Briggs,

The House refused to concur in Council amendment to the resolution.

Mr. Ford moved a reconsideration of the vote.

Motion carried.

Question on concurrence arising, the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Andrews, Clark, Dray, Doane, Grenell, Hathaway, McCaw, McLane, Ruddell, Rowe, Sexton, Smith, Tripp, Urquhart and Mr. Speaker—15.

Those who voted in the negative are—

Messrs. Briggs, Buzby, Clymer, Downey, Ford and Weeks—6.

So the House concurred in the amendment.

C. B. No. 6—An act authorizing Charles M. Bradshaw, William Bagley, their heirs and assigns to construct a bridge across Dunginess river.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill read the second time.

On motion of Mr. Grenell,

The rules were further suspended and the bill read third time, passed and title agreed to.

C. B. No. 4—An act to incorporate the Union Cemetery of Thurston county.

Bill read first time.

On motion of Mr. Ford,

The rules were suspended and the bill was read second time.

On motion of Mr. Ruddell,

The rules were further suspended, the bill read third time, passed and title agreed to.

C. B. No. 3—An act to incorporate the Snohomish City Mill Company.

Bill read first time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill was read second time.

On motion of Mr. Morgan,

The rules were further suspended and the bill read a third time, passed and the title agreed to.

C. B. No. 17—An act to amend an act entitled "an act to amend an act entitled 'an act to provide for the assessing and collecting the Territorial and county revenue.'"

Bill read first time.

On motion of Mr. McLane,

The bill was laid on the table and ordered printed.

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington.

Memorial read first time.

On motion of Mr. Hathaway,

The memorial was laid on the table and ordered printed.

Mr. Sexton in the chair.

C. B. No. 19—An act to repeal an act entitled "An act to provide for the Public Printing and the distribution of the Laws and Journals."

Bill read first time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill was read second time.

Mr. McLane moved to indefinitely postpone the bill.

Upon this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Buzby, Clark, Clymer, Dray, Doane, Ford, Grenell, Hathaway, Miller of Thurston, McLane, Ruddell, Rowe, Sexton, Struve, Tripp, Urquhart Weeks and Mr. Speaker—19.

Those who voted in the negative are—

Messrs. Briggs, Downey, Miller of Kitsap, Morgan, McCaw, McAuliff and Smith—7.

Motion carried.

Mr. Struve moved to reconsider.

Motion lost.

C. B. No. 5—An act to create the Vancouver Quartz Mining District, and regulate the holding of claims therein.

Bill read first time.

On motion of Mr. Hathaway,

The rules were suspended and the bill read the second time.

On motion of Mr. Weeks,

The bill was referred to committee on Mines and Mining.

C. J. R. No. 5—Relative to Capitol and Penitentiary fund.

Resolution read first time.

On motion of Mr. McLane,

The rules were suspended and the resolution read second time.

On motion of Mr. McCaw,

The resolution was referred to committee on Public Grounds and Buildings.

Mr. Speaker in the chair.

H. B. B. 16—An act to repeal an act entitled an act relative to road supervisors and defining their duties.

On motion of Mr. Weeks,

The counties of Jefferson and Clarke were excepted from the provisions of the bill.

Bill read second time.

On motion of Mr. McAuliff,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

Mr. Clymer moved that the vote on the passage of the bill be reconsidered.

Motion carried.

Mr. Hathaway moved that the third reading of the bill be reconsidered.

Motion carried.

On motion of Mr. McAuliff,

The bill was referred to committee on Territorial Library.

Mr. McCaw, of Pierce, introduced

H. B. No. 73—An act to incorporate the Puget Sound Steam Navigation Company.

Bill read first time.

On motion of Mr. Struve,

The rules were suspended and the bill was read a second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Commerce.

Mr. Sexton, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

H. B. No. 61—An act to incorporate the California State Telegraph Company,

Have had the same under consideration, and have directed me to report it back and recommend its passage.

B. N. SEXTON,
Chairman.

On motion of Mr. Urquhart,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. Morgan,

The rules were suspended to take up business lying on the table.

H. B. No. 61—An act to incorporate the California State Telegraph Company.

On motion of Mr. Ford,

The report of the committee was adopted.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill read a third time, passed and the title agreed to.

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages, taken up with report of committee.

On motion of Mr. Ruddell,

Report received and committee discharged from further consideration of the bill.

Bill read second time.

On motion of Mr. McLane,

The rules were suspended and the bill read a third time, passed and the title agreed to.

On motion of Mr. McAuliff,

The rules were suspended to enable Mr. McCaw to introduce a bill.

Mr. McCaw, of Pierce, introduced

H. B. No. 74—An act concerning certain duties of sheriffs.

Bill read first time by title.

On motion of Mr. Doane,

The rules were suspended and the bill read the second time.

On motion of Mr. Grenell,

The bill was referred to committee on Judiciary.

On motion of Mr. Sexton,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 10, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Doane, Hathaway, Morgan, Ruddell, Rowe, Sexton, Struve, Tripp, Smith, McAuliff, Miller of Thurston, Miller of Kitsap, Buzby and Urquhart.

Absent—Messrs. Dray, Downey, Lloyd, Lee, Mix, Grenell, Ford, McCaw, McLane, Weeks and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Ford, from the committee on Territorial Library, made the following report:

MR. SPEAKER—

Your committee on Territorial Library, to whom was referred substitute for

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties," approved January 14, 1865, except in the county of Jefferson,

Have had the same under consideration, and direct me to report the same back and recommend its passage with the following amendments:

Amend the title by striking out the word "repeal" and insert "amend" instead.

Strike out, in Sec. 1, 3d line of printed copy, the word "repealed" and insert "amend so as to apply only to the counties of Clarke and Jefferson."

G. FORD,
Chairman.

On motion of Mr. Struve,

Report received and committee discharged from further consideration of the bill;

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 66—An act relative to the duties of county auditors,

Beg leave to report the same back and recommend the passage of the bill without amendment.

H. G. STRUVE,
Chairman.

On motion of Mr. Andrews,

Report received and committee discharged from further consideration of the bill.

Mr. Hathaway, from the committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 68—An act creating the office of Territorial Superintendent of Common Schools and defining his duties,

Have had the same under consideration, and would beg leave to report the same back recommending the filling of the blank in line 2 of Sec. 6, printed bill, with the words "one hundred," and that the bill be passed.

M. R. HATHAWAY,
Chairman.

On motion of Mr. Clymer,

Report received and committee discharged from the further consideration of the subject.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor and to discourage the immigration of Chinese into the Territory," passed January 23, 1864,

Have had the same under consideration and direct me to re-

port the same back with the following amendments, and recommend the passage of the bill as amended:

In Sec. 1, 4th line of printed bill, strike out the word "ten" and insert "sixteen."

Insert in Sec. 9, after the word receive, "the sheriffs of all the counties shall receive 10 per cent., except the sheriff of Stevens county, who shall receive 25 per cent."

All of which is respectfully submitted.

SAMUEL McCAW,
Chairman.

Mr. Briggs, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—

Your committee on Agriculture, to whom was referred

H. B. No. 34—An act in relation to dogs in the counties of Island and Jefferson,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

ALBERT BRIGGS,
Chairman.

On motion of Mr. Andrews,

Report received and committee discharged from further consideration of the bill.

Mr. Ford, of Chehalis and Mason, introduced

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost.

Bill read first time.

On motion of Mr. Doane,

The rules were suspended and the bill read the second time.

On motion of Mr. Smith,

The bill was referred to the committee on Counties.

Mr. Miller, of Thurston, introduced

H. B. No. 76—An act to assess and collect a road tax in Thurston county.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read second time.

On motion of Mr. Struve,

The bill was referred to Thurston county delegation.

Mr. Urquhart, of Lewis, introduced

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-walla."

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill was read second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Claims.

Mr. McLane, of Thurston, introduced the following resolution:

Resolved, That every bill committed to a committee and reported back to the House shall be taken up with or without the report, as the House may direct, the same day and be read for the information of the House, and if not otherwise ordered, shall immediately pass to its third reading.

On motion of Mr. Dray,

The resolution was laid upon the table until to-morrow.

Mr. Weeks, from the committee on Commerce, submitted the following report:

MR. SPEAKER—

Your committee on Commerce, to whom was referred

H. B. No. 73—An act to incorporate the Puget Sound Steam Navigation Company,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House without recommendation.

SAMUEL WEEKS,
Chairman.

On motion of Mr. Urquhart,

Report received and committee discharged from further consideration of the bill.

Mr. Hathaway moved that the clerk be instructed to inform the Council that the House is now ready to receive the Council in joint convention, to receive any communication the Governor may desire to make.

Motion carried.

On motion of Mr. McCaw,

The reports of the Territorial Auditor and Treasurer were ordered to be printed.

Substitute for H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of Chinese into this Territory," passed Jan. 23, 1864.

Bill read second time.

On motion of Mr. McAuliff,

The rules were suspended and the bill read third time, passed and the title agreed to.

H. B. No. 34—An act in relation to dogs.

Bill read second time.

Mr. McLane moved that Thurston county be stricken from the bill.

Motion lost.

Mr. Ford moved to amend by striking out the words "this Territory" and inserting the words "the counties of Jefferson and Island" in lieu thereof.

Motion carried.

Communication from the Governor was received.

Mr. Morgan moved that Jefferson county be stricken out.

Motion lost.

On motion of Mr. Ford,

The word "several" was stricken out and the word "said" inserted.

On motion of Mr. Buzby,

The rules were suspended and the bill read a third time, passed and the title agreed to.

On motion of Mr. Struve,

The House took a recess for half an hour.

House re-assembled.

Mr. Tripp, of Clarke, introduced the following resolution:

WHEREAS, The Council on January 9th, 1865, passed a joint resolution providing for a joint convention to receive the annual message of the Governor of this Territory on the 10th of January, 1866, and

WHEREAS, This House concurred with the Council on January 9th, 1866, to receive the Governor's message, and

WHEREAS, The Council, after being informed by the House at the time appointed of its readiness to meet them in joint convention as provided and for the purpose mentioned in said resolution, refused to meet in joint convention and receive the message of the Governor; and that fact having been communicated to the Speaker of the House, therefore,

Be it resolved by the House of Representatives of the Territory of Washington, That the message transmitted by the Governor be received by this House, and that the Clerk be ordered to read the same, and that one thousand copies thereof be ordered printed.

On motion of Mr. Clymer,

The resolution was amended by striking out "one thousand" and inserting "five hundred."

Mr. Hathaway moved the adoption of the resolution:

Upon this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Busby, Clark, Clymer, Dray, Doane, Ford, Downey, Grenell, Hathaway, Miller of Thurston, McCaw, Rowe, McLane, Ruddell, Sexton, Struve, Tripp, Urquhart Weeks and Mr. Speaker—21.

Those who voted in the negative are—

Messrs. Briggs, Miller of Kitsap, and McAuliff—3.

So the resolution was adopted.

Whereupon the clerk read the following message from the Governor:

Gentlemen of the Legislative Council and House of Representatives of the Territory of Washington:

I beg leave to present my sincere congratulations to each and every one of you, and feel it to be my first duty to state, that it properly belongs to us all at this time, to remember with heartfelt gratitude to Almighty God, the goodness and mercy of His all-wise and overruling Providence that have so manifestly protected us, and have greatly blessed us as a population inhabiting this Territory, so that neither war, pestilence nor famine have planted their terrible footsteps amongst us within our borders; but the richest of his earthly blessings to mankind have been most bounteously showered upon us, so that good health, peace and plenty, smile upon us on every hand, and the blessed Gospel of our Lord and Saviour Jesus Christ has been peacefully and uninterruptedly preached by the ministers of every Christian denomination throughout every part of our Territory.

But while we have been thus highly and specially favored, we must all deeply lament that it has not been so throughout our beloved country, for we cannot forget that when you last assembled for legislative purposes, the most terrific thunderings of determined war, violence, rapine, and brutal murderings of vast numbers of peaceful citizens, were heard in many portions of the land, and all the horrors and dreadful calamities and devastations of internal war, were brought upon the peace loving population of the United States, by the malignant treason and rebellion of the slaveholders against the United States Government, which was in fact, most especially their own government, for under the power thereof, despotic slaveholders, who became the traitors, rebels, and wholesale murders of about one million of their fellow-citizens, had always been protected from 1789 to 1861, in the quiet and peaceble possession of all their lives, of all their civil and religious liberties and rights as citizens, of all their property, and especially defended, sheltered and secured to them the legal ownership of their four millions of black, yellow and white human beings as their slaves, agreeably to their own made slave State laws, institutions and daily practices.

And while the United States Government was continuing to protect the slave owners in their most horrible, detestable and hateful traffic

and trade in raising human beings as slaves, of every hue and shade of color, between black, yellow and white, and constantly selling them at all ages, as articles of commerce, and particularly when old enough and physically strong enough to perform field labor, at an average market price of from five to ten dollars per pound. This debasing and degrading system, together with the vast amount of wealth produced and collected every year into the pockets of their owners by the unpaid toil of these millions of slave laborers, in annually producing the tremendous crops of cotton, rice, tobacco, sugar, &c., until at length their vast accumulations and their unchecked power over the black and white population of the slave States so filled and inflated their hearts with the enjoyment and exercise of such great power, that their aristocratic pride, like that of Lucifer, who rebelled in heaven against omnipotent Jehovah, so the slave holders in imitation, from the culminating pride of their hearts, studiously and designedly through many long years past, have been establishing and cherishing amongst themselves a secret under current agreement, ripening and spreading year after year more widely into deep rooted conspiracy to break out into open war and rebellion against the United States Government, to overwhelm and destroy this best Government on earth, under the fostering protection of which, they had gathered all their wealth and all their power; and their conspiracy, treason and rebellion were bgun by them openly boasting and proclaiming their fell and determined purpose of building upon the ruins of the United States Government an empire of aristocratic power throughout this continent, whose chief corner stone was to be based upon human slavery.

Thus, there can be no mistake about the fact, that slavery, human slavery, and its brutalizing effects upon the minds, hearts and souls of the men who owned and held the bodies of four millions of slaves within their grasp and power while on earth, this, and this only, was the whole and sole cause of the beginning and of the long continuance of the whole rebellion.

The slave owners and their myrmidon rebel forces, bid open defiance to every known law of God and man, from the beginning to the end of their rebellion; and they openly violated every oath they had previously taken to support and defend the Constitution of the United States. Happily, however, the tumultuous scenes of destructive and desolating war of the slave owners' rampant treason and rebellion, after all the tremendous struggles and efforts made by them during four years continuance, in which more than one million rebel soldiers were desperately engaged, at length, through the mercy and the power of God,

the deadly strife has been finally terminated by the total defeat of the rebel armies, and thereby the power and the integrity of the Government of the United States has been most gloriously upheld and strengthened, agreeably to the prayers of all real lovers of universal liberty, and contray to the wishes of the self-deceived aristocrats, both at home and throughout the world.

And by this great and grand result of the triumph of the United States army and navy in their rightful and truthful defence of the Constitution, the Government and the laws of our common country, we are again, under the blessings of God, one people and one nation, under the same good National Government, having the same good old flag of the forefathers of our country, proudly waving over all our heads, and over the heads of the whole population of the United States without any single star being lost or obliterated.

Yes, through the mercy of God we may mutually exchange congratulations because the unholy rebellion has been crushed, and we may all join our prayers that never more may such another wicked and atrocious rebellion be witnessed.

But while we rejoice over the defeat of this terrible rebellion, we are called to mourn the loss of five hundred thousand Union, and an equal number of rebel soldiers, and the loss of our revered and beloved President, Abraham Lincoln, who was stealthily and foully murdered by one who was the instrument and pliant tool and hireling ruffian of the traitors and rebels, just as the contest was about to close, and at that particular moment when the generous heart of the President was earnestly intent upon the exercise of the largest possible degree of mercy towards those who had raised their parricidal hands against the Government of their own country.

The deliberate murder of President Lincoln, and the desperately fiend-like plot and effort made the same evening, to murder that ever praisworthy and good man, who so ably and nobly sustained President Lincoln in all his efforts to put down the rebellion, the Hon. W. H. Seward, Secretary of State, were the culminating acts of the rebellion, exhibiting and clearly showing the malignity of the miscreant, his aiders and abettors, who were all lost to every sense of honor, humanity and justice. For a long period before the murder was completed it had been published regularly as a standing advertisement in the Southern newspapers, that the enormous bribe of one million of dollars would be paid as a reward for the murder of President Lincoln, which must have been seen and known by every prominent officer both civil and military

of the so-called Southern Confederacy, and yet nothing was ever said against it, or in any way denouncing it, by any of those officials; the strongest possible proof that the unpardonable crime of offering that tempting bribe met with and received their sanction and support.

Alas, for Southern chivalry! Once Southern chivalry was but another name for all that was noble, brave, generous, just and good; but now it has become characterized by all that is ignoble, morally cowardly, treacherous and brutally inhuman. Nothing can ever palliate the foul deeds which have brought such lasting disgrace and infamy upon the rebellious States. Not one paltry excuse can be brought in defense of that foulest of all human crimes, the studiously, designedly, with malice aforethought murder of our great, and good, and ever kind hearted President, Abraham Lincoln.

It is but a small act of common justice that I should bear testimony to his never failing goodness of character, for during the last thirty years I have been intimately well acquainted with his active, industrious, noble, generous and strictly moral conduct, in every position of his eventful life, both as a private citizen and a public officer, and he alwys enjoyed the most unsullied confidence of every person who had the pleasure and the satisfaction of his personal acquaintance. Terrible as this rebellion has been, still it has produced one wonderful and unexpected result, for our country now stands purified from the curse of human bondage.

PUBLIC LANDS.

By information received from the Surveyor General's Office it appears that the amount of public lands surveyed in the Territory during the fiscal year ending June 30, 1865, amounted to 204,799 79-100 acres, and the total amount that has been surveyed within the Territory, is 3,676,798 acres.

The maximum price allowed at this time by the Government for surveying the public lands, is eight dollars per mile, which is too small, and not a fair and reasonable compensation for the great amount of labor required to survey the heavily timbered lands west of the Cascade Mountains, especially during the depreciated value of the National currency during the last few years, hence nearly all the surveys that have been made the past year have been on the prairie lands east of the Cascade Mountains, which in all reasonable probability will neither be purchased, nor occupied by actual settlers for many years to come; while on the rich soiled farming lands bordering upon the numerous

rivers which empty into Puget Sound, the Straits of Fuca, and the Pacific ocean, and also the valuable tracts of timber lands bordering on many parts of the navigable waters of Puget Sound and Hood's Canal, but little has been surveyed for some time past, and I am informed that no surveyors can now be found willing to take surveying contracts for such land at the present prices.

The welfare of the Territory requires that the rich agricultural lands bordering on the rivers, and the timber lands adjacent to the waters of Puget Sound and Hood's Canal, should be surveyed and brought into market at the earliest day practicable. The price for surveying these lands ought to be raised sufficiently to enable the surveyors to receive a just compensation for their services. I earnestly recommend this surveying business to your serious consideration as a suitable subject for a proper memorial to Congress.

From the report received from the Registers and Receivers of the two Land Offices, it appears that at the office at Vancouver the following amount of public land has been sold and located, from the 1st of December, 1864, to the 31st of December, 1865:

	ACRES.	AMOUNT.
Number of acres sold at $1 25 per acre,	14,249 87-100	
Amount received therefor,		$17,612 34
Number of acres entered under homestead act,	22,676 84-100	
Five land warrants located,	760	
Seventeen donation certificates issued, embracing	5,927 22-100	
Making a total of land sold and located of	37,686 43-100	

Twelve homesteads changed into pre-emptions.

Twenty declaratory statements filed.

Eight pre-emptions proved up.

At the office at Olympia, from September 30th, 1864, to December 31st, 1865:

	ACRES.	AMOUNT.
Number of acres sold at $1 25 per acre,	29,432	
Amount received therefor,		$31,765
Twenty-four land warrants located, including,	3,760	
One hundred and twenty-three homesteads located, including	19,368 65-100	
Number of acres entered under pre-emption	960	
Total of acres, bought and located,	53,620	

Total amount of land sold and located in the Territory within said period, up to December 31st, 1865, 21,206 acres; realizing for the benefit of the United States Government, $52,602.

UNITED STATES TAXES.

As it is a matter of interest to all patriotic citizens to know the material support they are giving to the General Government, as well as to know the condition of our Territory, I submit the following statistical report respecting the United States tax collected, as shown in the report received from the office of the Collector of Internal Revenue. The United States Internal Revenue tax collected in this district, including Washington and Idaho Territories, during the fiscal year ending June 30th, 1864, amounted to..... $22,409 74
During the fiscal year ending June 30, 1865,..... 76,783 21
Of that amount there was derived under the head of
Special Income tax,..... 20,719 84
Leaving the Internal Revenue tax from June 30, 1864, to
June 30, 1865,..... 56,668 37
Increase during the fiscal year up to June 30, 1865,..... 33,659 63

Last winter the Territory of Idaho was made into a separate Collection District; but the Assessor of Internal Revenue has estimated the prospective amount to be collected in this Territory alone during the present fiscal year, at not less than sixty thousand dollars. The cost of assessing and collecting the United States Internal Revenue in this Territory is about sixteen thousand dollars per annum.

It is gratifying to know that the United States taxes are cheerfully and promptly paid, and the large and steady increase of revenue indidates a highly prosperous condition of the business and industrial interests of the country.

INSANE ASYLUM.

There are at present eleven Territorial patients in the St. John's Lunatic Asylum, at Vancouver, under the care and safe-keeping of the Sisters of Charity. The total amount of the cost of boarding, clothing, washing, medical attendance, nursing, &c., from the 1st of January to the 31st of December, 1865, was $3,057 10.

Your attention is respectfully called to the full and complete report lately received at this office from the Sisters of Charity, with the names and condition of every one of the insane patients whose expenses are paid by the Territory.

GOLD MINES.

From late discoveries it is believed that rich gold fields are deposited in the mountains within our Territory. Every encouragement ought to be extended to all who are endeavoring to explore and develop them.

WAGON ROAD.

One of the greatest objects to be desired for the future welfare of the whole Territory is a good wagon road across the Cascade Mountains, to connect the eastern portion of the Territory with the navigable waters of Puget Sound. I commend this very important subject to your serious consideration.

I trust that all your acts may be governed by a desire to promote the general welfare, and I hope that a spirit of concord and amity may exist through all your deliberations.

WILLIAM PICKERING.

Olympia, Jan. 1, 1866.

REPORT OF THE INSANE IN CHARGE OF THE SISTERS OF CHARITY, FROM OCT. 22, 1862, TO DEC. 8, 1865.

To His Excellency Wm. Pickering, Governor of the Territory of Washington:

Margaret Comito, entered asylum Oct. 22, 1865; former residence, Clarke county; age, 38 years; mental health, incurable; bodily health, perfectly good.

John Munroe, entered asylum Oct. 22, 1862; former residence, Clarke county; died Nov. 28, 1863.

John McDonald, entered asylum Feb. 11, 1863; former residence, Pierce county; age, 23 years; mental health cured, but returned March 3, 1864.

James Hunt, entered asylum March 10, 1863; former residence, Sawamish county; age, 28 years; mental health, incurable; bodily health, weak.

Paul Patterson, entered asylum June 9, 1863; former residence, Kitsap county; age, 41 years; mental health, better; bodily health, good.

Emma Bildke, entered asylum Aug. 28, 1863; former residence, Walla-walla county; age, 6 years; died Nov. 28, 1864.

Pelagia Kemberland, entered asylum Feb. 20, 1864; former residence, Clarke county; age, 48 years; mental health, no improvement; bodily health, weak.

Fitzpatrick Russell, entered asylum Oct. 14, 1864; former residence, Walla-walla county; died Jan. 25, 1865.

Charles Moore, entered asylum Jan. 9, 1865; former residence, Lewis county; age, 25 years; mental health, much better; bodily health, good.

Minerva Fulkerson, entered asylum May 6, 1865; former residence, Clarke county; age, 30 years; mental health, better; bodily health, perfect.

Augustin Kruber, entered asylum June 12, 1865; former residence, Pierce county; age, 40 years; mental health, not improved; bodily health, weak.

Julia Washburn, entered asylum June 23, 1865; former residence, Walla-walla county; age, 24 years; mental health not improved; bodily health, weak.

Mrs. P. Schruble, entered asylum Aug. 4, 1865; former residence, Walla-walla county; mental health, not improved; bodily health, good.

W. F. McAtee, entered asylum Sept. 25, 1865, former residence, Lewis county; age, 35 years; mental health, better; bodily health, good.

James H. Righder, entered asylum Nov. 1, 1865; former residence, Jefferson county; age, 32 years; mental health, better; bodily health, weak.

Maria Lane, entered asylum July 21, 1865; former residence, Walla-walla county; age 24 years; mental health, no improvement; bodily health, very weak.

[redacted]

C. B. No. 17—An act to amend an act entitled "An act to amend an act entitled an act to provide for the assessing and collecting the Territorial and county revenue."

Bill read second time.

On motion of Mr. Sexton,

The bill was referred to committee on Claims.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 10, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage by the Council of the following:

Council Substitute to H. B. No. 7—An act to prevent the building of fish-traps in Walla-walla river, Walla-walla county.

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river.

Also that the Council concur in House amendments to

C. B. No. 12—And act to amend an act entitled an act to incorporate the University of Washington Territory, passed January 24, 1862.

H. J. R. No. 16—Protesting against the disintegration of Washington Territory.

Also that the President has signed the following:

[redacted]

[illegible]

[illegible] Relative to the establishment of an agricultural college.

[illegible] FOSTER,
Chief Clerk.

Mr. Miller, of Thurston, introduced

H. B. No. 76. An act fixing the times of holding the county commissioners' courts of Thurston county;

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill read the second time.

On motion of Mr. Hathaway,

The bill was referred to Thurston county delegation.

Mr. Weeks, of Jefferson, introduced the following resolution:

Resolved, That a select committee of three be appointed to confer with Secretary Evans and Mr. Howitt to ascertain all the facts in relation to the printing, so that we may come to some honorable means whereby this much vexed question may be settled.

Mr. McLane moved that the resolution be laid on the table.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. McLane, Ruddell and Urquhart—3.

Those who voted in the negative are—

Messrs. Andrews, Buzby, Clark, Clymer, Doane, Dray, Ford, Downey, Grenell, Hathaway, Miller, of Kitsap, Miller of Thurston, McCaw, McAuliff, Rowe, Sexton, Smith, Struve, Tripp, Weeks and Mr. Speaker—21.

Motion lost.

On motion of Mr. Hathaway,

The resolution was adopted.

The Speaker appointed on said committee, Messrs. Weeks, Struve and McCaw.

H. B. No. 70—An act to compensate the Puget Sound Steam Navigation Company.

Bill read second time.

On motion of Mr. Weeks,

The rules were suspended and the bill read third time.

On the passage of the bill the ayes and noes were demanded and with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Bush, Clark, [illegible], Gray, [illegible], Ford, [illegible], [illegible], [illegible], Miller of Thurston, [illegible], McLane, McAuliff, [illegible], Sexton, Smith, Struve, Urquhart, Weeks and Mr. Speaker—21.

Those who voted in the negative are—

Messrs. Miller of Kitsap and Rowe—2.

So the bill passed and title agreed to.

H. B. No. 67—An act in relation to licenses in Clalm county.

Bill read third time, passed and title agreed to.

C. J. R. No. 5—Relative to new business.

Resolution read third time and passed.

H. B. No. 45—An act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens.

Bill read third time, passed and title agreed to.

H. B. No. 65—An act regulating the hours of manual labor.

Bill read for information.

Mr. Weeks moved that Sec. 2d be so amended that Jefferson and Island counties be exempt from the provisions of the bill.

Motion carried.

Bill read third time, passed and title agreed to.

Mr. McAuliff moved to suspend the rules and take from the table Council substitute for

H. B. No. 7—An act to prevent the building of fish-traps in the county of Walla-walla.

Motion carried.

Bill read first time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill was read second time.

On motion of Mr. McCaw,

The bill was referred to Walla-walla delegation.

On motion of Mr. Buzby,

The rules were suspended to take up, with report of committee thereon,

H. B. No. 36—An act to repeal an act entitled "an act to establish and locate a Territorial road from Skugit Head to Deception Pass, Island county."

On motion of Mr. Weeks,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Briggs,

The rules were suspended and the bill read a third time, passed and the title agreed to.

H. J. M. No. 8—In relation to a military road from Willopa to Black river.

Memorial read second time.

On motion of Mr. Ford,

The rules were suspended and the memorial read the third time and passed.

H. J. R. No. 9—Relative to the Northern Pacific Rail Road, taken up with report of committee thereon.

On motion of Mr. Andrews,

The report of the committee was adopted.

Resolution read second time.

On motion of Mr. Struve,

The rules were suspended and the resolution read a third time.

On the passage of the resolution, the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Ford, Downey, Doane, Hathaway, Miller of Thurston, Millen of Kitsap, McCaw, McLane, McAuliff, Ruddell, Rowe, Sexton, Smith,

Struve, Tripp, Morgan, Grenell, Urquhart, Weeks and Mr. Speaker—26.

So the resolution passsed unanimously.

C. B. No. 18—An act supplementary to an act to permanently locate the county seat of Kitsap county, with report of committee thereon.

On motion of Mr. Andrews,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Morgan,

The bill was referred to Kitsap county delegation.

H. B. No. 68—An act creating the office of Territorial Superintendent of Common Schools and defining his duties, with report of committee thereon.

Mr. Clymer moved the adoption of the report.

Upon this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Clark, Clymer, Dray, Hathaway, McLane, Ruddell, Sexton, Struve and Mr. Speaker—10.

Those who voted in the negative are—

Messrs. Buzby, Downey, Doane, Ford, Miller of Kitsap, Miller of Thurston, McCaw, McAuliff, Rowe, Smith, Tripp, Urquhart and Weeks—13.

Motion lost.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committe on Ways and Means.

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties," approved January 14, 1865, except in the county of Jefferson, with report of committee thereon.

On motion of Mr. McCaw,

The report of the committee was adopted.

Bill read second time.

Mr. Clymer moved that the bill be referred to a select committee of three.

Motion carried.

The Speaker appointed Messrs. Clymer, Hathaway and Urquhart.

H. J. M. No. 14—Relative to cod and other fisheries on the Pacific coast,

On motion of Mr. Andrews,

The report of the committee was adopted.

Memorial read second time.

On motion of Mr. Dray,

The rules were suspended and the memorial was read third time and passed.

Mr. Speaker in the chair.

H. J. M. No. 15—Relative to Skagit River, with report of committee thereon, taken up.

On motion of Mr. Hathaway,

The report of the committee was adopted.

Memorial read second time.

On motion of Mr. Urquhart,

The rules were suspended and the memorial read the third time and passed.

Mr. Struve moved that the vote by which

H. B. No. 73—An act to incorporate the Puget Sound Steam Navigation Company, was passed be reconsidered.

Motion carried.

On motion of Mr. Hathaway,

The third reading of the bill was reconsidered.

On motion of Mr. Andrews,

The bill was laid on the table.

H. B. No. 64—An act for the better observance of Sunday, with report of committee thereon.

On motion of Mr. McLane,

The report of the committee was adopted.

Bill read second time.

Mr. Sexton moved to amend by striking out the words "Lord's day" and insert "Sunday."

Motion carried.

Mr. Hathaway moved to amend by inserting after the word "violating," in Sec. 3, the words "any of."

Motion carried.

Mr. Struve moved to amend by adding after the 1st section the words "and no person shall be allowed to sell or cause to be sold any intoxicating liquor on said day."

Motion carried.

Mr. Hathaway moved to amend by striking out in Sec. 5, all after the word "shall" in third line, to the word "stand" in sixth line; also the words "the whole order is complied with and."

Motion carried.

Mr. Hathaway moved further to amend by adding at the close of Sec. 5, the words "and costs be paid or the same be commuted by confinement at the rate of three dollars per day."

On motion of Mr. Ruddell,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 11, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Clark, Clymer, Doane, Hathaway, Morgan, Ruddell, Rowe, Sexton, Struve, Tripp, McAuliff, Miller of Thurston, Miller of Kitsap, Buzby Dray, McCaw, Urquhart, Downey and Ford.

Absent—Messrs. Grenell, Lloyd, Lee, Mix, McLane, Smith, Vansickle and Weeks.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Doane, from the committee on Public Grounds and Buildings, reported as follows:

MR. SPEAKER—

Your committee on Public Grounds and Buildings, to whom was referred

C. J. R. No. 4—Relative to Capitol and Penitentiary fund,

Have had the same under consideration, and have instructed me to recommend its passage without amendment.

W. C. DOANE,
Chairman.

On motion of Mr. McLane,

Report received and committee discharged from further consideration of the bill.

Mr. Ruddell, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee, to whom was referred

H. B. No. 78—An act fixing the times of holding the county commissioners' courts of Thurston county,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

S. D. RUDDELL,
Chairman.

Report received and committee discharged.

Mr. McAuliff, from the committee on Ways and Means, submitted the following majority report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred

H. B. No. 68—An act creating the office of Territorial Superintendent of Common Schools and defining his duties,

Have had the same under consideration, and would respect-

fully beg leave to report the same back to the House without recommendation.

JAMES McAULIFF,
Chairman.

On motion of Mr. Miller of Kitsap,

Report received and committee discharged from further consideration of the bill.

Mr. Morgan, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—

Your committee on Mines and Mining, to whom was referred

C. B. No. 5—An act to create the Vancouver Quartz Mining District, and regulate the holding of claims therein,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

H. E. MORGAN,
Chairman.

Mr. Ruddell, from the committee on Claims, reported as follows:

MR. SPEAKER—

Your committee on Claims, to whom was referred

C. B. No. 17—An act to amend an act entitled "an act to amend an act entitled 'an act to provide for the assessing and collecting the Territorial and county revenue,'"

Have had the same under consideration, and have instructed me to report the same back without recommendation.

S. D. RUDDELL,
Chairman.

On motion of Mr. McLane,

Report received and committee discharged from further consideration of the bill.

Mr. Struve, from the committee on Judiciary, submitted the following majority report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 70—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863,

Have had the same under consideration, and a majority of the committee have instructed me to recommend the indefinite postponement of the bill.

H. G. STRUVE,
Chairman.

Mr. Struve, from the committee on Judiciary, submitted the following minority report:

MR. SPEAKER—

The undersigned, a minority of the committee on Judiciary, have had under consideration

H. B. No. 70—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863,

And respectfully recommend the passage of the same with the following amendment:

Strike out all of Sec. 1 of said bill after the words "one thousand."

H. G. STRUVE,
H. E. MORGAN.

On motion of Mr. McAuliff,

Report received and committee discharged from further consideration of the bill.

Mr. McAuliff, from Select committee, submitted the following report:

MR. SPEAKER—

The Walla-walla county delegation, to whom was referred Council Substitute to H. B. No. 7—An act to prevent the building of fish-traps in Walla-walla river, Walla-walla county,

Beg leave to report the same back and recommend the passage of the bill with the following amendment:

Amend Sec. 2, line 6, by inserting the word "such" after the word "any."

JAMES McAULIFF,
B. N. SEXTON.

On motion of Mr. Miller of Kitsap,

Report received and committee discharged.

H. B. No. 79—An act to abolish the office of assessor in the county of Island.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill read the second time.

On motion of Mr. Clymer,

The rules were further suspended and the bill read third time, passed and title agreed to.

H. B. No. 80—An act to provide for the assessing and collecting of Territorial and school revenue.

Bill read first time.

On motion of Mr. Miller of Thurston,

The rules were suspended and the bill was read second time.

On motion of Mr. Clark,

Bill referred to committee on Ways and Means.

Mr. Struve moved that the committee on Ways and Means be instructed to report at an early day to this House an estimate of all the expenditures, contingent and otherwise, required to carry on the Government of the Territory.

Motion carried.

Second reading of bills.

Substitute for C. B. No. 10—An act declaring legitimate the issue of white men and Indian women.

Bill read second time.

H. B. No. 41—An act for the protection of sheep and wool growers.

Bill read second time.

On motion of Mr. McLane,

The bill was referred to committee on Engrossed Bills.

Mr. McLane, of Thurston, introduced

H. B. No. 81—An act to amend an act passed January 21, 1865, and an act in relation to prosecuting attorneys, passed January 19, 1863.

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill was read second time.

Mr. Andrews moved that the bill be referred to select committee of one from each judicial district.

Motion carried.

The Speaker appointed Messrs. Andrews, Struve and Sexton on said committee.

On motion of Mr. Doane,

The rules were suspended to enable the Committee on Commerce to report.

Mr. Weeks, from the committee on Commerce, submitted the following report:

MR. SPEAKER—

Your committee on Commerce, to whom was referred

C. B. No. 20—An act to establish pilotage on the Columbia river bar and Shoalwater Bay,

Have had the same under consideration, and direct me to report the same back and recommend its passage with the following amendments:

Amend Sec. 3, line 4, by striking out the words "Washington Territory and Oregon."

Strike out Sec. 12 entire.

SAMUEL WEEKS,
Chairman.

On motion of Mr. McAuliff,

The report of the committee was received and laid on the table.

On motion of Mr. Hathaway,

The rules were suspended and the House took up

C. B. No. 20—An act establishing pilotage on the Columbia river bar and Shoalwater Bay.

Bill read second time and amended.

On motion of Mr. Struve,

The rules were suspended and the bill read a third time, passed and the title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 11, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the introduction in the Council of the following:

C. B. No. 30—An act defining the boundaries of Snohomish county.

C. B. No. 31—An act repealing an act entitled "an act to incorporate the Dalles Portage Company," passed December 19, 1859, amended January 17, 1861.

H. B. No. 32—An act to authorize the Territorial Treasurer to pay Henry M. McGill one hundred dollars for services as prosecuting attorney.

Also the passage by the Council of the following:

C. B. No. 23—An act to repeal an act to provide for the acknowledgment of deeds out of this Territory, passed January 21, 1865.

C. B. No. 29—An act appointing a Recorder of Mount Rainier Mining District and locating the office.

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia,

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber and wood down Mill creek to Walla-walla city, in Walla-walla county.

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company.

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company.

Substitute to H. B. No. 56—An act to repeal an act entitled

an act to regulate suits for divorce and alimony, passed January 27th, 1864,

H. B. No. 61—An act to incorporate the California State Telegraph Company.

H. B. No. 51—An act in relation to licenses in King county.

H. J. M. No. 12—Relative to Indians residing in Stevens county.

Also passage of the following with amendments:

H. B. No. 10—An act to prevent the spread of contagious and infectious diseases among domestic animals.

H. J. M. No. 11—Relative to school lands.

H. J. R. No. 6—Relative to a joint convention to elect Territorial officers.

Also that the Council refuse to concur in House amendments to

C. J. M. No. 1—Praying for an appropriation for the improvement of mail route from Olympia to Monticello,

And have appointed Messrs. Denny, Ford and Farnsworth a committee of conference on the part of the Council.

Also that the Council concur in House amendments to

C. J. R. No. 5—Relative to new business.

Also the introduction and passage of

C. J. R. No. 7—Relative to adjourning *sine die*.

Also that the President has signed

C. J. R No. 5—Relative to new business, and the same is herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 25, 1863, taken up with report of committee thereon.

On motion of Mr. McAuliff,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. McCaw,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

H. B. No. 62—An act concerning minors, their rights and liabilities.

Bill read third time, passed and title agreed to.

On motion of Mr. Ford,

A committee of conference was appointed to confer with a similar committee on the part of the Council on

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello.

The Speaker appointed Messrs. Urquhart, Hathaway and Miller of Thurston said committee.

On motion of Mr. Struve,

The clerk was instructed to make a memorandum of all bills placed in the hands of the Governor for approval.

The Speaker announced he was about to sign

C. J. R. No. 5—Relative to new business.

H. B. No. 64—An act for the better observance of Sunday.

Bill read second time.

On motion of Mr. Downey,

The rules were suspended and the bill read a third time, passed and the title agreed to.

Mr. Briggs moved to adjourn.

Motion lost.

Mr. Miller of Kitsap moved a call of the House.

Motion lost.

On motion of Mr. McCaw,

H. B. No. 73—An act to incorporate the Puget Sound Steam Navigation Company, was taken from the table.

Bill read second time.

Mr. Struve moved to amend by inserting that "the privileges herein granted shall not extend to the Columbia river."

Motion carried.

Mr. Miller of Kitsap moved that the privileges herein

granted shall extend to the Russian Possessions and Bahring Straits.

Mr. Clymer moved that the rules be suspended and the bill pass to third reading.

Mr. Grenell moved to lay that motion on the table.

Mr. Miller of Kitsap moved that the company build the Northern Pacific Railroad.

Mr. Clymer moved that the rules be suspended that the bill may pass to its third reading.

Motion carried.

Bill read third time, passed and title agreed to.

Mr. Sexton moved to adjourn.

Motion lost.

On motion of Mr. McAuliff,

The rules were suspended to take from the table Council Substitute to H. B. No. 7—An act to prevent the building of fish-traps in Walla-walla river, Walla-walla county, with report of committee.

On motion of Mr. Miller of Kitsap,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Sexton,

The rules were suspended and the bill read third time, passed and the title agreed to.

C. B. No. 17—An act to amend an act entitled "an act to amend an act entitled 'an act to provide for the assessing and collecting the Territorial and county revenue,'"

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was indefinitely postponed.

H. B. No. 70—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

Bill read second time.

On motion of Mr. Weeks,

The bill was laid on the table and and made the special order of the day for to-morrow.

C. B. No. 5—An act to create the Vancouver Quartz Mining District, and regulate the holding of claims therein,

Bill read second time.

On motion of Mr. Hathaway,

The rules were suspended and the bill was read third time, passed and title agreed to.

H. B. No. 68—An act creating the office of Territorial Superintendent of Common Schools and defining his duties, with report of committee thereon, taken up.

On motion of Mr. Briggs,

The report and bill were laid on the table subject to the order of the House.

H. B. No. 78—An act fixing the times of holding the county commissioners' courts of Thurston county, with report of the committee.

On motion of Mr. Ford,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Ruddell,

The rules were suspended and the bill read third time, passed and title agreed to.

C. J. R. No. 4—Relative to Capitol and Penitentiary funds, with report of committee thereon.

Resolution read second time.

On motion of Mr. Hathaway,

Report and resolution laid on the table subject to the orders of the House.

H. J. R. No. 6—Relative to joint convention to elect Territorial offices, taken up with Council amendments.

On motion of Mr. Doane,

The House concurred in Council amendments to the resolution.

H. J. M. No. 11—Relative to school lands, taken up with Council amendments.

On motion of Mr. Ruddell,

The House concurred in Council amendments to the memorial.

C. B. No. 29—An act appointing a recorder for Mount Ranier Mining district and locating the office.

Bill read third time, passed and title agreed to.

Mr. Downey moved to adjourn.

Motion lost.

C. B. No. 16—An act for the appointment of a board of commissioners to revise and prepare a code of laws for the Territory of Washington.

Bill read first time.

On motion of Mr. Grenell,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 12, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Briggs, Buzby, Clark, Ford, Dray, Doane, Downey, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McAuliff, Ruddell, Rowe, Sexton, Struve, Smith, Tripp, Urquhart, Clymer and Weeks.

Absent—Messrs. Grenell, Lloyd, Lee, McLane, Andrews, Mix, Hathaway and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

All of which is respectfully submitted.

SAMUEL McCAW,
Chairman.

On motion of Mr. Urquhart,

Report received and committee discharged from further consideration of the bill.

Mr. Clymer, from the committee on Memorials, reported as follows:

MR. SPEAKER—

Your committee on Memorials to whom was referred

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington,

Have had the same under consideration, and have directed me to report it back and recommend its passage.

C. CLYMER,
Chairman.

On motion of Mr. McAuliff,

Report received and committee discharged from the further consideration of the subject.

Mr. McAuliff, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred

H. B. No. 80—An act to provide for the assessing and collecting of Territorial and school revenue,

Have had the same under consideration, and would respect-

fully beg leave to report the same back to the House and recommend its passage.

All of which is respectfully submitted.

JAMES McAULIFF,
Chairman.

On motion of Mr. Smith,

Report received and committee discharged from further consideration of the bill.

Mr. Ruddell, from the committee on Claims, reported as follows:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-walla,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

S. D. RUDDELL,
Chairman.

On motion of Mr. Rowe,

Report received and committee discharged from further consideration of the bill.

Mr. Miller, of Kitsap, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills have examined, and find correctly engrossed,

H. B. No. 41—An act for the protection of sheep and wool growers.

A. S. MILLER,
Chairman.

On motion of Mr. McAuliff,

Report received and committee discharged.

Mr. Clymer, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred substitute for H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson,"

Have had the same under consideration, and beg leave to report the same back and recommend the passage of the original bill, after striking out all the amendments thereto.

All of which is respectfully submitted.

C. CLYMER,
Chairman.

On motion of Mr. Ruddell,

Report received and committee discharged from further consideration of the bill.

Mr. Hathaway, chairman of Select committee, submitted the following report:

MR. SPEAKER—

The Select committee to whom was referred

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates to survey, cut and construct ditches or canals for mining purposes;

Have had the same under consideration and direct me to report the same back with the following amendments, and recommend the passage of the bill as amended:

In Sec. 1, 3d line of printed bill, insert the word "survey" before the word "open."

In Sec. 4, strike out the "if," the first word of line 1. Insert the terminative "ing" after "obstruct," in same line; also "the" after the word "of" in same line.

Also to insert as Sec. 5 the following:

"Sec. 5. If any ditch or canal cut or constructed under the provisions of this act shall cross or interfere with any public highway, said S. W. Beall, S. W. Brown, H. L. Caples and their associates and assigns, shall construct good and substantial bridges and keep them in good repair, and in every other respect prevent damage and obstruction to the roads by such ditches and canals."

Also that Sec. 5 become Sec. 6.

Also that the following be added to the bill:

"Provided nothing in this act shall be so construed as to prevent any other person from using any water remaining in the bed of said creek below the point or points where said canals and ditches leave said creek, without charge; and *Provided further*, That said Beall, Brown, Caples and their associates shall not take from said creek at any time more water than is actually necessary to properly work the mines that are or may be worked along the line of said ditch or ditches; and *Provided further*, That such ditches or canals shall conduct the water back into the bed of the creek at any point above the head of Lackamas lake."

M. R. HATHAWAY,
Chairman.

Mr. Urquhart, of Lewis, introduced

H. B. No. 82—An act fixing the salary of the Territorial Auditor.

Bill read first time.

On motion of Mr. Miller of Thurston,

The rules were suspended and the bill was read second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committe on Ways and Means.

Mr. Clark, of Clarke, introduced

H. B. No. 83—An act providing for the appointment of inspectors for the St. John's Insane Asylum, and to prescribe their duties.

Bill read first time.

On motion of Mr. Hathaway,

The rules were suspended and the bill was read a second time.

On motion of Mr. McCaw,

The bill was referred to committee on Claims.

Mr. McAuliff moved to suspend the rules to enable a Select committee to report.

Motion carried.

Mr. Miller of Kitsap, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

C. B. No. 18—An act supplementary to an act to permanently locate the county seat of Kitsap county,

Beg leave to report that they have considered the same, and have instructed me to report the same back without making any recommendation.

A. S. MILLER,
Chairman.

On motion of Mr. Briggs,

Report received and committee discharged from further consideration of the bill.

Mr. Miller, of Thurston, introduced

H. B. No. 84—An act to amend an act entitled "an act relative to coroners," passed January 19, 1863.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the resolution read second time.

On motion of Mr. Struve,

The bill was referred to committee on Claims.

Mr. Ruddell, of Thurston, introduced

House bill 85—An act appropriating money to aid in the location and construction of certain roads.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill read the second time.

Mr. Clymer moved the indefinite postponement of the bill.

Mr. McCaw moved to lay that motion on the table.

Motion carried.

On motion of Mr. Downey,

The bill was referred to committee on Roads and Highways.

Mr. Doane, of Pacific, introduced

H. B. No. 86—An act for the relief of William Pickering, Governor of Washington Territory.

Bill read first time.

On motion of Mr. Grenell,

The rules were suspended and the bill read the second time.

On motion of Mr. Morgan,

The bill was referred to committee on claims.

Mr. Sexton, of Walla-walla, introduced

H. B. No. 87—An act supplementary to an act incorporating the Cascade Rail Road Company, passed January 31, 1859.

Bill read first time.

On motion of Mr. McAuliff,

The rules were suspended and the bill was read second time.

Mr. Struve moved to indefinitely postpone the bill.

Mr. Grenell moved that the bill be referred to committee on Mines and Mining.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Grenell, Miller of Kitsap, McCaw, Rowe, Sexton, Smith and Urquhart—8.

Those who voted in the negative are—

Messrs. Briggs, Buzby, Clark, Clymer, Dray, Doane, Ford, Downey, Hathaway, Miller of Thurston, Morgan, McAuliff, Ruddell, Struve, Tripp, Weeks and Mr. Speaker—17.

Motion lost.

Mr. McCaw moved that the bill be referred to committee on Corporations.

Mr. Struve moved to lay that motion on the table.

Motion carried.

Mr. Miller of Kitsap moved that the bill be referred to the Clarke county delegation.

Motion carried.

On motion of Mr. Ruddell,

The rules were suspended to enable Clarke county delegation to submit a report.

Mr. Hathaway, of Clarke county delegation, submitted the following report:

MR. SPEAKER—

Your committee, the Clarke county delegation, to whom was referred

H. B. No. 72—An act to locate and re-locate a road from the junction of Lake river, in Clarke county, with Columbia Slough to the upper line of Wm. H. Dillon's donation land claim,

Have had the same under consideration, and direct me to report the same back and recommend its passage with the following amendments:

Amend title by striking out "mouth," and inserting "junction" in lieu thereof;" after county insert "with Columbia slough."

Amend Sec. 1, line 2 of printed copy, by striking out "from the mouth of," and insert "commencing at the junction of Columbia slough with."

In 3d line, printed copy, Sec. 2, strike out "same" and insert "said Lake river."

Sec. 2, line 2, strike out "on his upper line" and insert "below his ferry landing."

Sec. 4, line 2 printed bill, strike out "through such gate or."

M. R. HATHAWAY,
Chairman.

On motion of Mr. Clymer,

Report received and committee discharged from the further consideration of the subject.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 12, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of

Representatives of the introduction in the Council of the following:

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District.

Also the passage by the Council of the following:

H. J. M. No. 7—Praying Congress for an appropriation for a road from Cathlamet to Boisfort Prairie.

H. B. No. 28—An act in relation to landlord and tenant.

H. B. No. 57—An act relating to suits in foreign judgments.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company.

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages.

C. B. No. 30—An act defining the boundaries of Snohomish county.

Also that the President has appointed Messrs. Van Bokkelen, Ford and Ferguson a committee of conference on the part of the Council to act in conjunction with a like House committee relative to amendments to

H. B. No. 25—An act to regulate marriages.

N. S. PORTER,

Chief Clerk.

Mr. Sexton, of Walla-walla, introduced

H. B. No. 88—An act guaranteeing corporations and others in the enjoyment of franchises granted by the Legislative Assembly of the Territory of Washington.

Bill read first time.

On motion of Mr. Grenell,

The bill was laid on the table and ordered printed.

On motion of Mr. Struve,

The rules were suspended to enable the committee on Commerce to make report.

Mr. Weeks, from the committee on Commerce, submitted the following report:

MR. SPEAKER—

Your committee on Commerce, to whom was referred

H. B. No. 71—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864,

Have had the same under consideration, and instruct me to report the same back with substitute.

SAMUEL WEEKS,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. McCaw,

The reports of Territorial Auditor and Treasurer were referred to committee on Ways and Means.

Mr. Sexton in the chair.

Mr. Urquhart, of Lewis, introduced

H. B. No. 89—An act to authorize the voters of school district No. 2, Lewis county, to levy a tax to build a school house.

Bill read first time by title.

On motion of Mr. Ruddell,

The rules were suspended and the bill read the second time.

On motion of Mr. Urquhart,

The rules were futher suspended, and the bill read a third time.

On motion of Mr. McAuliff,

The House took a recess for one hour and a half.

House re-assembled.

Mr. Speaker in the chair.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 90—An act to authorize W. D. Bigelow and his associates to establish a ferry across the Columbia river.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read a second time.

On motion of Mr. McCaw,

The bill was referred to committee on Corporations.

Mr. McCaw moved that the vote by which

C. B. No. 17—An act to amend an act entitled "an act to amend an act entitled 'an act to provide for the assessing and collecting the Territorial and county revenue,'" was indefinitely postponed, be reconsidered.

Motion carried.

On motion of Mr. McCaw,

The bill was referred to committee on Counties.

Mr. Buzby presented a supplementary report of the Territorial Auditor.

On motion of Mr. Miller of Kitsap,

Reports referred to committee on Ways and Means, with instructions to print.

C. B. No. 11—An act to provide for the formation of corporations for certian purposes, was taken up.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill read a second time.

On motion of Mr. Ford,

The bill was referred to committee on Corporations.

C. B. No. 8—An act relating to elections and the mode of supplying vacancies.

Bill read first time.

On motion of Mr. Andrews,

The rules were suspended and the bill was read a second time.

On motion of Mr. Dray,

The bill was referred to committe on Elections.

C. B. No. 16—An act for the appointment of a board of commissioners to revise and prepare a code of laws for the Territory of Washington.

Bill read second time.

On motion of Mr. Hathaway,

The bill was laid on the table and ordered printed.

H. substitute to C. B. No. 10—An act declaring legitimate the issue of marriages of white men and Indian women.

Bill read third time, passed and title agreed to.

H. B. No. 71—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864, with report of committee thereon.

On motion of Mr. Briggs,

The bill and report were laid on the table subject to the order of the House.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates to survey, cut and construct ditches or canals for mining purposes, with report of the committee thereon.

On motion of Mr. Struve,

The report of the committee was adopted.

On motion of Mr. McAuliff,

The bill was laid on the table.

C. B. No. 18—An act supplementary to an act to permanently locate the county seat of Kitsap county.

Bill read second time.

Mr. Briggs moved that the bill be indefinitely postponed.

Mr. Clymer moved to lay that motion on the table.

Motion lost.

Mr. Ford moved that the bill be laid upon the table and made the special order for to-morrow at 1 o'clock.

Motion carried.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. J. R. No. 16—Protesting against the disintegration of Washington Territory.

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river.

H. J. R. No. 3—Relative to a joint convention to receive the Governor's message.

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company.

H. B. No. 47—An act in relation to the road tax in Whatcom county.

H. B. No. 20—An act relating to Witnesses and Evidence.

H. B. No. 42—An act to amend an act entitled "an act relative to crimes and punishments in criminal cases."

H. B. No. 55—An act repealing an act entitled "an act making county auditors *ex officio* clerks of the probate courts of their respective counties.

JAMES URQUHART,
Chairman.

H. B. No. 72—An act to locate and re-locate a road from the junction of Lake river, in Clarke county, with Columbia Slough to the upper line of Wm. H. Dillon's donation land claim, taken from the table with report of committee.

On motion of Mr. Clark,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Weeks,

The bill was referred to committee on Engrossed Bills.

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson,"

Bill read second time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

H. B. No. 41—An act for the protection of sheep and wool growers.

Bill read third time, passed and title agreed to.

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-walla."

Bill read second time.

On motion of Mr. Urquhart,

The rules were suspended and the bill read a third time, passed and the title agreed to.

H. B. No. 80—An act to provide for the assessing and collecting Territorial and school revenue.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was laid on the table.

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington, with report of committee.

On motion of Mr. Ruddell,

The report of the committee was adopted.

Memorial read second time.

On motion of Mr. McCaw,

The memorial was laid on the table subject to the order of the House.

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost, with report of committee thereon.

On motion of Mr. Ford,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Doane,

The rules were suspended and the bill read a third time, passed and the title agreed to.

H. B. No. 10—An act to prevent the spread of contagious diseases among domestic animals.

On motion of Mr. Andrews,

The House concurred in Council amendments to the bill.

C. B. No. 30—An act defining the boundaries of Snohomish county.

Bill read first time.

Mr. Ruddell in the chair.

Mr. Eldridge moved that the bill be laid on the table subject to the order of the House.

Motion carried.

On motion of Mr. Hathaway,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, January 13, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Briggs, Buzby, Clark, Ford, Dray, Doane, Downey, Miller of Kitsap, Grenell, Morgan, McCaw, McAuliff, Ruddell, Rowe, Sexton, Smith, Tripp, Urquhart, Andrews, Clymer and Weeks.

Absent—Messrs. Lloyd, Lee, McLane, Miller of Thurston, Struve, Mix, Hathaway and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 74—An act concering certain duties of sheriffs,

Have had the same under consideration, and direct me to report

the same back and recommend its passage with the following amendments:

Strike out Sec. 1 and insert in lieu thereof the following:

"Sec. 1. That whenever any sheriff pays over to any county treasurer any taxes or other moneys received by him in his official capacity as sheriff and required to be paid over to the county treasurer by law, it is hereby made the duty of such sheriff to require from the treasurer receipts in duplicate for moneys paid as aforesaid, and it is hereby made the duty of the treasurer to issue the said receipts when required as aforesaid, and one of the said duplicate receipts shall be lodged by said sheriff with the auditor of his county, within ten days after payment made to said treasurer, said receipts to be filed of record in the office of said auditor."

All of which is respectfully submitted.

H. G. STRUVE,
Chairman.

Mr. Ruddell, from the committee on Claims, reported as follows:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. B. No. 86—An act for the relief of William Pickering, Governor of Washington Territory,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

S. D. RUDDELL,
Chairman.

On motion of Mr. Urquhart,

Report received and committee discharged from further consideration of the bill.

Mr. Ruddell, from the committee on Claims, submitted the following report:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. B. No. 83—An act providing for the appointment of inspectors for the St. John's Insane Asylum, and to prescribe their duties,

Have had the same under consideration and have directed me to report it back and recommend its passage without amendments.

S. D. RUDDELL,
Chairman.

On motion of Mr. Grenell,

Report received and committee discharged from further consideration of the bill.

Mr. Tripp, from the comittee on Military Affairs, submitted the following report:

MR. SPEAKER—

Your committee on Military Affairs to whom was referred H. B. No. 87—An act supplementary to an act incorporating the Cascade Rail Road Company, passed January 31, 1859,

Have had the same under consideration, and would beg leave to report the same back recommend the indefinite postponement of the bill.

All of which is respectfully submitted.

A. G. TRIPP,
Chairman.

On motion of Mr. McCaw,

The report of the committee was received and adopted.

H. B. No. 91—An act to incorporate the Simmilkimeen Quartz Mining Company.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Mines and Mining.

On motion of Mr. McAuliff,

The rules were suspended to enable the committee on Engrossed bills to make report.

Mr. Miller, of Kitsap, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills have examined, and find correctly engrossed,

H. B. No. 72—An act to locate and re-locate a road from the mouth of Lake river, in Clark county, to the upper line of W. H. Dillon's donation claim.

A. S. MILLER,
Chairman.

Mr. Urquhart, of Lewis, introduced

H. B. No. 92—An act to provide for the election of county assessor in Lewis county.

Bill read *first time.*

On motion of Mr. Ruddell,

The rules were suspended and the bill was read a second time.

On motion of Mr. Smith,

The bill was referred to committee on Counties.

Mr. Miller, of Thurston, introduced

H. B. No. 93—An act to incorporate the Grand Mound Union Cemetery Association.

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill read the second time.

On motion of Mr. Ruddell,

The rules were further suspended and the bill read third time, passed and title agreed to.

On motion of Mr. Hathaway,

The rules were suspended to enable a Select committee to report.

Mr. Weeks, of Jefferson, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee beg leave to report that they have conferred with the Hon. Secretary of the Territory and Mr. R.

H. Hewitt, and request me to report by written statements from them herewith accompanying.

SAMUEL WEEKS,
Chairman.

SECRETARY'S OFFICE, OLYMPIA,
January 11, 1866.

HON. SAMUEL WEEKS,

Chairman Select Committee, House of Representatives:

SIR—As requested by you, I have the honor to submit my views in regard to the unpleasant differences which now surround the matter of the printing for the Legislative Assembly, and what I was willing to have done, with a view of harmonizing such differences.

My difficulty in acting upon the recommendation of the Legislature, or the preference expressed that Mr. R. H. Hewitt should execute such printing, was the contract existing between this office and Mr. T. F. McElroy. I could not feel at liberty to rescind that, while the fact was known to me that said McElroy was a creditor of the Government for some eleven thousand dollars for two years' printing, over half of which sum he had advanced in coin to accomplish the same, and that he had purchased a large amount of material, type, &c., with which to perform said contract.

To avoid injustice to Mr. McElroy, to obviate further cause of dissension, and with a view of assisting a Union newspaper with the patronage of this work, I advised, and was happy to learn from both parties that a partnership had been agreed upon between Messrs. McElroy and Hewitt. For reasons not proper to be recounted here, my honest effort to strip this vexed question of difficulty was frustrated.

I then proposed to contract with Mr. R. H. Hewitt if he would satisfy Mr. McElroy, either by purchasing his material, type, &c., or securing this office from McElroy's claim under my contract. Such an arrangement was promised. On that promise, I am informed, Mr. Hewitt secured an election, but such arrangement was never carried into effect. In further justification why such an arrangement should be consummated at that

time, I knew that Mr. McElroy possessed the necessary material, type, &c., to do the work. I was well advised that Mr. Hewitt needed the same, and hence believed it most equitable, as convenient, that Mr. Hewitt should take such property off Mr. McElroy's hands.

Satisfied that there was a prejudice, on the part of the Legislature, against this office controlling the appointment of Printer, and that there was an equally earnest prejudice against the party I had contracted with, I concluded to adopt their judgment instead of continuing to be governed by any personal preference of my own, and so soon as I could equitably be relieved from the contract with Mr. McElroy, I determined to contract with said Mr. Hewitt.

I then proposed that Mr. McElroy go on and finish his contract, notified of its termination with the work of the present session, and that said R. H. Hewitt should be recognized and assured the succession without any condition of purchasing material, type, &c., of said McElroy. In regard to the work executed by Mr. Hewitt, I volunteered to use my earnest efforts to make such arrangements between the two printers that both accounts could be merged, and the fund received be disbursed in accordance with such arrangement as the parties could make; or if Mr. Hewitt preferred to make a separate claim, this office was to oppose no obstacle to securing a thorough hearing by the Hon. the Treasury Department. This last proposition, in which I believe I yielded every thing like the independent claim of the legitimate franchise of this office, was rejected by Mr. Hewitt, and there is now no alternative left me but to justify my action as a disbursing officer of the United States, governed solely by the instructions of the Hon. Secretary of the Treasury.

Sincerely regretting that no effort that I can make will be received in the spirit of conciliation in which it has been tendered,

I am, very respectfully,

Your obedient servant,

ELWOOD EVANS,

Secretary of Washington Territory.

OFFICE PACIFIC TRIBUNE,
Olympia, January 11, 1866.

HON. SAMUEL WEEKS, *Chairman Select Committee:*

SIR—As you have been pleased to inform me that a committee had been appointed by the House to wait upon the Hon. Elwood Evans, Secretary of the Territory, and myself, and ascertain whether some arrangement could not be made by which the question of the public printing might be settled in an amicable manner, and as you requested that any statement I might make be made in writing, in reply would say:

That the Legislature thinking that their rights in that matter had been entirely ignored by the Secretary, in contracting out their work without asking advice at least, did, on the 16th day of December last in joint convention, elect me public printer. Believing I had been elected in good faith, and that the Legislature would sustain me in the position I had been placed, I immediately filed my bond and oath of office according to law, and informed both Houses of the fact, and that I was ready to do all the printing they might require. But up to this time, no matter has been sent to my office from the Council to be printed, and not all from the House; and the proposition is now made me by the Secretary of the Territory, that Mr. McElroy, with whom he had already contracted to do the work, be paid for what he has done, and that I should be paid for what I had done, under some amicable arrangement, and that Mr. McElroy finish the work of the session, after which, if I was prepared to do public printing, he would give me the next contract. To the first part of the proposition I replied that Mr. McElroy had reprinted all the bills furnished by me, and as we cannot both be paid for the same work, and if I drew out of the contest, it would leave me in a position where I could enforce nothing. As to the second part of the proposition, receiving a subsequent contract, it is a future contingency I could not depend on, and therefore rejected.

Permit me here to add, that a studied misrepresentation of facts, which was doubtless intended for a purpose, has served to

make this difficulty assume its present proportions. Besides every thing that could be, has been reported to and published by the Council, for the only purpose, as I can see to prejudice the case, and to render the adjustment of accounts in my favor the more difficult, and which evinces a spirit the opposite to conciliation.

Until I have reason to believe that those who elected me public printer, regret having done so, or until they ask me to resign, I will continue to discharge the duties of the office, to the best of my ability; and if the Secretary of the Territory thinks proper to ignore the action of the Legislature, that is for them to settle and not me.

I have the honor to be,

Very respectfully,

Your obedient servant,

R. H. HEWITT,

Public Printer.

On motion of Mr. Clymer,

The communications were laid on the table and ordered to be printed.

The Speaker announced that he was about to sign the following:

H. J. R. No. 16—Protesting against the disintegration of Washington Territory.

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river.

H. J. R. No. 3—Relative to a joint convention to receive the Governor's message.

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company.

H. B. No. 47—An act in relation to the road tax in Whatcom county.

H. B. No. 20—An act relating to Witnesses and Evidence.

H. B. No. 42—An act to amend an act entitled "an act relative to crimes and punishments in criminal cases."

H. B. No. 55—An act repealing an act entitled "an act

making county auditors *ex officio* clerks of the probate courts of their respective counties.

H. B. No. 74—An act concerning certain duties of sheriffs.

Bill read second time.

On motion of Mr. Hathaway,

The bill was referred to committee on Engrossed Bills.

H. B. No. 87—An act supplementary to an act incorporating the Cascade Rail Road Company, passed January 31, 1859.

Bill read second time.

Mr. Sexton moved that the bill be laid on the table and made the special order for Tuesday next.

Mr. Struve moved to lay that motion on the table.

Motion carried.

On motion of Mr. Clymer,

The bill was laid on the table subject to the order of the House.

H. B. No. 88—An act guaranteeing corporations and others in the enjoyment of franchises granted by the Legislative Assembly of the Territory of Washington.

Bill read second time.

On motion of Mr. Clark,

The bill was referred to committee on Judiciary.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates, to survey, cut and construct ditches or canals for mining purposes.

Bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 13, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. B. No. 36—An act to repeal an act entitled "an act to

establish and locate a Territorial road from Skagit Head to Deception Pass, Island county."

H. B. No. 45—An act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens.

Substitute for H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of Chinese into this Territory," passed Jan. 23, 1864.

H. B. No. 66—An act relative to the duties of county auditor.

H. B. No. 78—An act fixing the times of holding the county commissioners' courts of Thurston county.

H. B. No. 79—An act to abolish the office of assessor in the county of Island.

Also passage of the following with amendments:

H. B. No. 34—An act in relation to dogs in the counties of Island and Jefferson.

N. S. PORTER,
Chief Clerk.

H. B. No. 71—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to committe on Ways and Means.

On motion of Mr. Dray,

The rules were suspended to enable the Conference committee to make report.

Mr. Urquhart, chairman of committee of Conference, submitted the following report:

MR. SPEAKER—

Your committee of Conference to whom was referred

C. J. M. No. 1—Praying for an appropriation for the improvement of mail route from Olympia to Monticello,

Beg leave to report that they have met a similar committee of

the Council in conference, and have agreed that the Council concur in House amendments.

JAMES URQUHART,
Chairman.

Mr. Grenell, of Clalm, introduced

H. B. No. 94—An act authorizing George E. Allingham to build a wharf at Port Angeles.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill read the second time.

On motion of Mr. Andrews,

The rules were further suspended, the bill read third time, passed and title agreed to.

Mr. Miller, of Kitsap, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills have examined, and find correctly engrossed,

H. B. No. 72—An act to locate and re-locate a road from the mouth of Lake river, in Clark county, to the upper line of W. H. Dillon's donation claim.

A. S. MILLER,
Chairman.

H. B. No. 72—An act to locate and re-locate a road from the junction of Lake river, in Clarke county, with Columbia Slough to the upper line of Wm. H. Dillon's donation land claim.

Bill read third time, passed and title agreed to.

H. B. No. 83—An act providing for the appointment of inspectors for the St. John's Insane Asylum, and to prescribe their duties,

Bill read third time, passed and title agreed to.

On motion of Mr. Clymer,

The House took a recess for one hour and a half.

House re-assembled.

H. B. No. 86—An act for the relief of William Pickering, Governor of Washington Territory, with report of committee.

On motion of Mr. Hathaway,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

C. B. No. 18—An act supplementary to an act to permanently locate the county seat of Kitsap county.

Bill read second time.

On motion of Mr. Ruddell,

The rules were suspended and the bill read the third time.

Mr. Miller of Kitsap moved a call of the House.

Motion carried.

Roll called. Absent—Messrs. Messrs. Miller of Thurston, Ford, Weeks and McCaw.

On motion of Mr. Andrews,

A further call of the House was dispensed with.

On the passage of the bill, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Clymer, Grenell, Hathaway, McLane, Ruddell, Rowe, Sexton, Urquhart and Mr. Speaker—10.

Those who voted in the negative are—

Messrs. Briggs, Buzby, Clark, Dray, Doane, Downey, Miller of Kitsap, Morgan, McAuliff, Smith, Struve and Tripp—12.

So the bill did not pass.

H. B. No. 34—An act in relation to dogs, with amendments by the Council.

On motion of Mr. Buzby,

The House concurred in Council amendments to the bill.

C. J. R. No. 7—Relative to adjourning *sine die*.

Resolution read second time.

Mr. Hathaway moved that the further consideration of the resolution be postponed until Friday.

Mr. Clymer moved to lay that motion on the table.

Motion carried.

Mr. Sexton moved that the resolution be laid on the table subject to the order of the House.

Motion lost.

Mr. Clymer moved to lay the resolution on the table.

Motion lost.

Mr. Briggs moved that the rules be suspended and the resolution read third time.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Clymer, Downey, Miller of Kitsap, Morgan, McAuliff, McLane, McCaw, Smith and Tripp—10.

Those who voted in the negative are—

Messrs. Andrews, Clark, Dray, Doane, Ford, Grenell, Hathaway, Ruddell, Sexton, Struve, Urquhart and Mr. Speaker—12.

So the House refused to suspend the rules.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties to whom was referred

H. B. No. 92—An act to provide for the election of county assessor in Lewis county,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend its passage.

All of which is respectfully submitted.

SAMUEL McCAW,
Chairman.

On motion of Mr. Urquhart,

Report received and committee discharged from further consideration of the bill.

C. B. No. 23—An act to repeal an act to provide for the acknowledgment of deeds out of this Territory, passed January 21, 1865.

Bill read first time.

On motion of Mr. Hathaway,

The bill was laid on the table.

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington.

Memorial read second time.

On motion of Mr. McLane,

The memorial was laid on the table and ordered printed.

Mr. Miller, of Kitsap, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills have examined, and find correctly engrossed,

H. B. No. 74—An act concerning certain duties of sheriffs.

A. S. MILLER,
Chairman.

C. B. No. 15—An act authorizing the county commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail and repairing the court house and the improvement of the public grounds.

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read second time.

On motion of Mr. Grenell,

The bill was referred to committee on Counties.

Mr. Buzby, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 85—An act appropriating money for the location, construction and repairing of certain roads,

Have had the same under consideration, and instruct me to report the same back with the accompanying substitute.

JAMES BUZBY,
Chairman.

On motion of Mr. Ruddell,

Report received and committee discharged from further consideration of the bill.

Substitute for H. B 85—An act appropriating money to aid in the location and construction of certain roads.

Bill read second time.

On motion of Mr. Struve,

The bill was laid on the table and made the special order for Monday next.

H. B. No. 92—An act to provide for the election of county assessor in Lewis county.

Bill read second time.

On motion of Mr. Urquhart,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

H. B. No. 70—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863, with report of committee.

On motion of Mr. Miller of Kitsap,

Report laid on the table and bill taken up.

Bill read second time.

Mr. Struve moved to strike out $500 and insert $1000 in lieu thereof.

Motion carried.

Mr. Urquhart moved the indefinite postponement of the bill.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Doane, Downey, McCaw, Ruddell and Urquhart—6.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Buzby, Clark, Dray, Ford, Grenell, Hathaway, Miller of Kitsap, Morgan, Rowe, Sexton, Struve, Smith, Tripp and Mr. Speaker—16.

Motion lost.

On motion of Mr. Smith,

The rules were suspended and the bill read the third time.

On the passage of the bill, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Ford, Hathaway, Miller of Kitsap, Morgan, McAuliff, Rowe, Sexton, Smith, Struve, Tripp and Mr. Speaker—17.

Those who voted in the negative are—

Messrs. Doane, Downey, McCaw, Ruddell and Urquhart—5.

So the bill passed and title agreed to.

On motion of Mr. Miller of Kitsap,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 15, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Briggs, Clark, Clymer, Ford, Dray, Doane, Downey, Miller of Kitsap, Grenell, Hathaway, Morgan, McCaw, McAuliff, Ruddell, Rowe, Sexton, Smith, Tripp, Struve and Urquhart.

Absent—Messrs. Andrews, Buzby, Lloyd, Lee, McLane, Miller of Thurston, Mix, Vansickle and Weeks.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Ruddell in the chair.

Mr. McAuliff, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred H. B. No. 82—An act fixing the salary of the Territorial Auditor,

Have had the same under consideration, and would beg leave to report the same back and recommend the indefinite post ponement of the bill.

All of which is respectfully submitted.

JAMES McAULIFF,
Chairman.

On motion of Mr. Miller of Kitsap,

The report of the committee was received and adopted.

Mr. Sexton, from the committee on Corporations, submitted the following majority report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred C. B. No. 11—An ac to provide for the formation of corporations for certain purposes,

Have considered the same, and recommend that it do pass.

B. N. SEXTON,
W. B. GRENELL,
W. R. DOWNEY,
A. G. TRIPP.

On motion of Mr. Dray,

The report of the committee was received and adopted.

Mr. Morgan, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—

Your committee on Mines and Mining, to whom was referred

H. B. No. 91—An act to incorporate the Simmilkimeen Quartz Mining Company,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

H. E. MORGAN,
Chairman.

Mr. McAuliff, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred the supplemental report of the Territorial Auditor, have compared the same with his books and find it correct, and recommend its adoption.

All of which is respectfully submitted.

JAMES McAULIFF,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged from the further consideration of the subject.

Mr. Miller of Kitsap, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. No. 63—An act in relation to the district courts in the first judicial district,

Beg leave to report that they have considered the same, and have instructed me to report the same back without recommendation.

A. S. MILLER,
Chairman.

On motion of Mr. McAuliff,

Report received and committee discharged.

Mr. Dray, of Cowlitz and Wahkiakum, introduced

H. B. No. 95—An act in relation to roads.

Bill read first time.

On motion of Mr. Urquhart,

The rules were suspended and the bill was read second time.

On motion of Mr. Clymer,

The bill was referred to committee on Roads and Highways.

Mr. Miller, of Kitsap, introduced

H. B. No. 96—An act supplementary to an act to regulate suits for divorce and alimony, passed January 27, 1864, and to revive and renew an act passed January 18, 1863.

Bill read first time.

On motion of Mr. Hathaway,

The rules were suspended and the bill read the second time.

On motion of Mr. Morgan,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Andrews, of King, introduced

H. B. No. 97—An act providing for the payment of the necessary traveling expenses of judges of the district courts.

Bill read first time.

On motion of Mr. McAuliff,

The bill was laid on the table subject to the order of the House.

Mr. McAuliff, of Walla-walla, introduced

H. B. No. 98—An act prescribing certain duties of the Territorial auditor.

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill read the second time.

On motion of Mr. McCaw,

The bill was referred to committee on Judiciary.

Mr. Struve, of Clarke, introduced

H. B. No. 99—An act defining the boundaries of Yakima county and appointing officers of said county.

Bill read first time.

On motion of Mr. Clark,

The rules were suspended and the bill was read a second time.

On motion of Mr. Miller of Kitsap,

The bill was referred to the delegation from the counties of Stevens and Klickitat.

C. B. No. 11—An act to provide for the formation of corporation for certain purposes.

Bill read second time.

On motion of Mr. Sexton,

The rules were suspended and the bill was read third time, passed and title agreed to.

Mr. Struve, of Clarke, introduced

H. B. No. 100—An act to provide for holding a special term of the Supreme court of the Territory of Washington.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read second time.

On motion of Mr. McAuliff,

The bill was referred to the committee on Judiciary.

Mr. Hathaway, of Clarke, introduced

H. B. No. 101—An act conferring certain powers on county commissioners' courts.

Bill read first time.

On motion of Mr. McCaw,

The bill was laid on the table subject to the orders of the House.

Mr. Morgan, of Jefferson, introduced

H. B. No. 102—An act to repeal an act entitled "an act in relation to the county of Skamania."

Bill read first time.

On motion of Mr. Briggs,

The rules were suspended and the bill was read a second time.

On motion of Mr. Ford,

The bill was referred to committee on Counties.

Mr. Andrews, of King, introduced

H. B. No. 103—An act to appropriate money for a certain purpose.

Bill read first time.

The rules were suspended and the bill was read a second time.

On motion of Mr. Morgan,

The bill was laid on the table subject to the order of the House.

Mr. Miller, of Thurston, introduced

H. B. No. 104—An act to incorporate the Chambers' Prairie Cemetery Association.

Bill read first time and laid on the table subject to the orders of the House.

Mr. Ruddell, of Thurston, introduced

H. B. No. 105—An act for the relief of

Bill read first time and laid on the table.

On motion of Mr. McCaw,

C. B. No. 15—An act authorizing the County Commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail, repairing court house and improving public grounds, was referred to committee on Engrossed Bills.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 15, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the introduction in the Council of the following:

C. J. M. No. 3—Relative to an appropriation for the codification and re-publication of the laws of this Territory.

Also that the Council concur in House amendments to

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello.

Also passage of the following:

H. B. No. 72—An act to locate and re-locate a road from the mouth of Lake river, in Clark county, to the upper line of W. H. Dillon's donation claim.

H. B. No. 62—An act concerning minors, their rights and liabilities.

H. J. M. No. 14—Relative to cod and other fisheries on the Pacific coast.

H. B. No. 67—An act in relation to licenses in Clalm county.

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District and regulating claims,

Also that the President has signed

H. J. R. No. 3—Relative to a joint convention to receive the Governor's message.

H. B. No. 47—An act in relation to the road tax in Whatcom county.

H. B. No. 42—An act to amend an act entitled "an act relative to crimes and punishments in criminal cases."

H. B. No. 55—An act repealing an act entitled "an act making county auditors *ex officio* clerks of the probate courts of their respective counties.

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river.

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company.

H. J. R. No. 16—Protesting against the disintegration of Washington Territory.

C. B. No. 6—An act authorizing Charles M. Bradshaw, William Bagley, their heirs and assigns to construct a bridge across Dunginess river.

C. B. No. 5—An act to create the Vancouver Quartz Mining District, and regulate the holding of claims therein,

C. B. No. 29—An act appointing a Recorder of Mount Rainier Mining District and locating the office.

C. B. No. 4—An act to incorporate the Union Cemetery of Thurston county.

C. B. No. 3—An act to incorporate the Snohomish City Mill Company.

C. B. No. 12—And act to amend an act entitled an act to incorporate the University of Washington Territory, passed January 24, 1862.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Sexton,

The House took a recess for half an hour.

House re-assembled.

Mr. Struve, of Clarke, introduced

H. B. No. 106—An act requiring the Territorial treasurer to submit an estimate of the probable expenses of the Territory.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill read the second time.

On motion of Mr. Hathaway,

The bill was referred to committee on Indian Affairs.

Mr. Grenell, of Clalm, introduced the following resolution:

WHEREAS, Much difficulty at present exists relative to the question of who is Public Printer of this Territory; and

WHEREAS, It is the wish of this House to have the matter fully investigated, as there seems to be some aspersions upon this House as endeavoring to prevent an amicable settlement of the matter, therefore be it

Resolved, That the Secretary of the Territory be requested to furnish this House with a copy of the letter sent to the Treasury Department from his office which produced the letter addressed to him bearing date April 21st, 1863, and signed by Taylor, First Comptroller of the Treasury Department, and also a copy of all letters addressed to the Secretary of the Territory since the organization of this Territory, which touches upon the subject of public printing.

On motion of Mr. Hathaway,

The resolution was adopted.

Mr. Grenell, of Clalm, introduced

H. B. No. 107—An act to appropriate money for certain purposes.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill was read a second time.

Mr. McLane, of Thurston, introduced

H. B. No. 108—An act to explain an act entitled "an act relative to coroners," passed January 19, 1863.

Bill read first time.

Mr. McAuliff, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means have conferred with the Territorial Auditor in reference to the amount necessary to defray the expenses of the Territorial Government for the year 1866, and now have the honor to inform the House that three mills on the dollar will be sufficient. The committee recommend that H. B. No. 80 be amended by striking out "two mills" and inserting "three mills."

All of which is respectfully submitted.

JAMES McAULIFF,
Chairman.

On motion of Mr. McCaw,

Report received and committee discharged from the further consideration of the subject.

Mr. Struve moved that the rules be suspended and that the House resolve itself into committee of the whole to consider

H. B. No. 63—An act in relation to the district courts in the first judicial district.

Motion carried.

Mr. Struve in the chair.

After some time spent therein, the committee rose.

Mr. Speaker in the chair.

Mr. Struve, chairman of committee of the Whole House, submitted the following report:

MR. SPEAKER—

Your committee of the whole have had under consideration

H. B. No. 63—An act in relation to the holding of courts in the first judicial district, would recommend the adoption of the following amendments:

Strike out in Sec. 2, the word "second" and insert the word "third." Strike out the words "May and the fourth," and insert "March the first Monday of July and third Monday of October." Also strike out the word "June," 5th line, printed bill, and insert "April."

H. G. STRUVE,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged.

Bill read second time.

On motion of Mr. Clymer,

The bill was referred to committee on Judiciary.

Mr. Ruddell, from the committee on Claims, submitted the following report:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. B. No. 84—An act to amend an act entitled "an act relative to coroners," passed January 19, 1863,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend that it do not pass.

S. D. RUDDELL,
Chairman.

On motion of Mr. McLane,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. McLane,

All committees were instructed to report by Wednesday morning.

Mr. Miller, of Kitsap, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills have examined, and find correctly engrossed,

C. B. No. 15—An act authorizing the county commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail and repairing the court house and the improvement of the public grounds.

A. S. MILLER,
Chairman.

On motion of Mr. Doane,

Report received and committee discharged from further consideration of the bill.

Mr. Morgan presented a petition signed by eighty persons, praying the repeal of the act abolishing Skamania county.

On motion of Mr. Briggs,

The petition was ordered to be printed.

Mr. Miller of Kitsap moved a call of the House.

Motion lost.

Mr. Urquhart moved to adjourn.

Motion lost.

Mr. McLane moved that H. B. No. 63 be referred to a Select committee of five.

Motion carried.

The Speaker appointed Messrs. McCaw, Buzby, Tripp, Sexton and Andrews said committee.

Mr. Smith moved to adjourn.

Motion lost.

Mr. Miller of Kitsap moved a call of the House.

Motion lost.

C. B. No. 23—An act to repeal an act to provide for the acknowledgment of deeds out of this Territory, passed January 21, 1865.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

On motion of Mr. McAuliff,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 16, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Briggs, Clark, Clymer, Ford, Dray, Doane, Downey, Miller of Kitsap, Grenell, Hathaway, Morgan, McCaw, McAuliff, Ruddell, Rowe, Sexton, Smith, Tripp, Buzby, Miller of Thurston, Weeks and Urquhart.

Absent—Messrs. Andrews, Lloyd, Lee, McLane, Struve, Mix and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Struve moved that the rules be suspended to take from the table

C. J. R. No. 7—Relative to adjourning *sine die.*

Motion carried.

Resolution read second time.

Mr. Sexton moved to strike out "22d" and insert "25th."

Mr. Struve moved to lay that motion on the table.

Motion carried.

On motion of Mr. Clark,

The rules were further suspended and the resolution was read third time and passed.

Mr. McAuliff, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred H. B. No. 71—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864,

Have had the same under consideration, and would beg leave to report the same back and recommend the indefinite postponement of the bill.

All of which is respectfully submitted.

JAMES McAULIFF,
Chairman.

On motion of Mr. Weeks,

The report of the committee was received and adopted.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred H. B. No. 88—An act guaranteeing corporations and others in the enjoyment of franchises granted by the Legislative Assembly of the Territory of Washington,

Beg leave to report the same back, and a majority of the said committee recommend that the bill do not pass.

H. G. STRUVE,
Chairman.

Report received and committee discharged from further consideration of the bill.

The following communication was received from Hon. Elwood Evans, Secretary of the Territory, relative to public printing:

OFFICE SECRETARY WASHINGTON TERRITORY,
Olympia, January 16, 1866.

HON. EDWARD ELDRIDGE,
Speaker House of Representatives, Washington Territory:

SIR—I have the honor to acknowledge the receipt of a copy of the resolution passed by the Hon. House of Representatives on the 15th inst., requesting of me copies of all correspondence

between this office and the Hon. Treasury Department touching the printing of the laws, journals, &c., of this Territory.

I have not the clerical help to enable me to answer the request of the House within the few remaining days of the session. I am therefore compelled to claim the indulgence of the House, and beg their acceptance of the accompanying journal of the House, (session 1863-4) on page 24, and following of which will be found the letters specially referred to in said House resolution.

While I cannot furnish the copies of letters received in a period covering some eleven years, yet will I most cheerfully exhibit to the inspection of any member or committee of the House any official letter addressed to this office shedding information upon the question of said public printing.

I am, very respectfully,

Your obedient servant,

ELWOOD EVANS,

Secretary of Washington Territory.

On motion of Mr. Struve,

The clerk was instructed to inform the Council that the House is now ready to receive them in joint convention to elect Territorial officers.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 16, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the introduction in the Council of the following:

C. B. No. 34—An act relating to roads in the county of Clarke.

C. B. No. 35—An act providing for the assessment and collection of Territorial revenue from persons owning rail roads.

Council bill 36—An act for the relief of John M. Murphy.

Council bill 37—An act for the relief of Richard Lane.

C. B. No. 38—An act for the relief of C. C. Hewitt.

C. B. No. 40—An act amendatory to an act relative to district courts, passed Jan. 19, 1864.

C. B. No. 39—An act to create the county of Lincoln.

Also that the Council concur in House amendments to

C. B. No. 20—An act establishing pilotage on the Columbia river bar and Shoalwater Bay.

Also the passage by the Council of the following:

H. B. 29—An act to amend "an act in relation to prosecuting attorney," passed January 29, 1863.

H. B. No. 93—An act to incorporate the Grand Mound Union Cemetery Association.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates to survey, cut and construct ditches or canals for mining purposes.

H. B. No. 25—An act to regulate marriages.

H. B. No. 41—An act for the protection of sheep and wool growers.

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 23, 1863.

H. J. R. No. 9—Relative to the Northern Pacific Rail Road.

Substitute for C. B. No. 10—An act declaring legitimate the issue of white men and Indian women.

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-walla."

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost.

H. B. No. 89—An act to authorize the voters of school district No. 2, Lewis county, to levy a tax to build a school house.

H. J. M. No. 8—In relation to a military road from Willopa to Black river.

Also that the Council are now ready to meet the House in joint convention for the purpose of electing Territorial officers.

N. S. PORTER,

Chief Clerk.

IN JOINT CONVENTION.

President of the Council presiding.

Roll called. Present of the Council—Messrs. Denny, Ferguson, Ford, Farnsworth and Van Bokkelen.

Present of the House—Messrs. Andrews, Briggs, Busby, Clark, Clymer, Dray, Doane, Downey, Ford, Grenell, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McCaw, McLane, McAuliff, Ruddell, Rowe, Sexton, Smith, Struve, Tripp, Urquhart, Weeks and Mr. Speaker—26.

On motion of Mr. Andrews,

The convention proceeded to an informal ballot for Territorial Auditor, which resulted as follows:

D. C. Beaty received	2 votes.
L. G. Abbott received	6 "
John M. Murphy received	10 "
Richard Lane received	9 "
J. N. Gale received	2 "
D. R. Bigelow received	1 "
Whole number of votes cast,	31

On motion of Mr. Clymer,

The convention proceeded to elect Territorial Auditor by ballot, with the following result:

John M. Murphy received	19 votes.
Richard Lane received	8 "
L. G. Abbott received	5 "
Whole number of votes cast	32
Necessary to a choice	17

Mr. Murphy having received a majority of all the votes cast, was declared duly elected Territorial Auditor.

On motion of Mr. Sexton,

The convention proceeded to vote informally for Territorial Treasurer, resulting as follows:

Benj. Harned received	17 votes.
J. H. Munson received	5 "

D. R. Bigelow received..... 9 votes.
Albert Briggs received..... 1 "

On motion of Mr. Struve,

Benj. Harned was declared duly elected Territorial Treasurer by acclamation.

On motion of Mr. Struve,

The convention proceeded to elect Territorial Librarian *viva voce*, with the following result:

Mr. Woodruff received.....27 votes.
Mr. Eggers received..... 2 "
Mr. Holmes received..... 1 "
Mr. Munson received..... 2 "

Whole number of votes cast.....32
Necessary to a choice.....17

S. N. Woodruff having received a majority of all the votes cast, was declared duly elected Territorial Librarian.

On motion of Mr. McCaw,

Mr. Hathaway was appointed a committee of one to wait upon the Governor and ascertain what Territorial offices were vacant and required to be filled.

On motion of Mr. Morgan,

The convention took a recess for fifteen minutes.

Convention re-assembled.

On motion of Mr. Sexton,

The convention proceeded to elect an Adjutant-General *viva voce*, resulting as follows:

A. G. Tripp received.....10 votes.
H. R. Hathaway received.....11 "
Albert Briggs received..... 4 "
James McAuliff received..... 5 "
William H. Wood received..... 1 "

Whole number of votes cast.....31
Necessary to a chotce.....16

No person having received a majority of all the votes cast, the convention proceeded to a second ballot, with the following result:

A. G. Tripp received.....26 votes.
James McAuliff received.....5 "

Whole number of votes cast.....31
Necessary to a choice.....16

Mr. Tripp having received a majority of all the votes cast, was declared duly elected Adjutant-General.

On motion of Mr. Van Bokkelen,

The convention proceeded to the election of Quartermaster General.

Mr. Van Bokkelen nominated John M. Murphy.

On motion of Mr. Clymer,

Mr. John M. Murphy was elected Quartermaster General by acclamation.

On motion of Mr. Van Bokkelen,

The convention proceeded to the election of Commissary General.

Mr. Van Bokkelen nominated James McAuliff.

On motion of Mr. Ferguson,

Mr. McAuliff was elected Commissary General by acclamation.

On motion of Mr. Van Bokkelen,

Mr. Hathaway, committee of one to wait on His Excellency the Governor, was discharged from further consideration of the the subject.

On motion of Mr. Struve,

The convention then adjourned *sine die*.

Mr. Speaker in the chair.

Mr. McLane moved that a committee of three be appointed to call upon the Secretary of the Territory and examine certain letters in reference to the public printing.

Motion carried.

The Speaker appointed Messrs. McLane, Weeks and Clark said committee.

The Speaker announced that he was about to sign the following:

C. B. No. 6—An act authorizing Charles M. Bradshaw, William Bagley, their heirs and assigns to construct a bridge across Dunginess river.

C. B. No. 5—An act to create the Vancouver Quartz Mining District, and regulate the holding of claims therein,

C. B. No. 29—An act appointing a Recorder of Mount Rainier Mining District and locating the office.

C. B. No. 4—An act to incorporate the Union Cemetery of Thurston county.

C. B. No. 3—An act to incorporate the Snohomish City Mill Company.

Mr. Miller, of Kitsap, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills, have examined, and find correctly engrossed,

Substitute for H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of Chinese into this Territory," passed Jan. 23, 1864.

A. S. MILLER,
Chairman.

H. B. No. 82—An act fixing the salary of the Territorial Auditor.

Bill read second time.

On motion of Mr. McAuliff,

The bill was indefinitely postponed.

H. B. No. 107—An act to appropriate money for certain purposes.

On motion of Mr. Briggs,

The bill was laid on the table and made the special order for the first day of April next.

H. B. No. 84—An act to amend an act entitled "an act relative to coroners," passed January 19, 1863,

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was indefinitely postponed.

H. B. No. 69—An act establishing a common school system for the Territory of Washington.

Bill read second time.

On motion of Mr. Ruddell,

The bill was referred to committee on Education.

Mr. Hathaway, from the committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred H. B. No. 69—An act to establish a common school system for the Territory of Washington,

Have had the same under consideration and direct me to report the same back with the following amendment, and recommend the passage of the bill as amended:

Sec. 2, line two printed copy, strike out "four" and insert "three."

M. R. HATHAWAY,
Chairman.

On motion of Mr. McLane,

The report of the committee was received and adopted.

On motion of Mr. Grenell,

The bill was laid on the table subject to the orders of the House.

H. B. No. 91—An act to incorporate the Simmilkimeen Quartz Mining Company.

Bill read third time, passed and title agreed to.

H. B. No. 74—An act concerning certain duties of sheriffs.

Bill read third time, passed and title agreed to.

The Speaker announced he was about to sign

H. B. No. 46—An act to amend an act entitled "an act to

protect free white labor against competition with Chinese coolie labor and to discourage the immigration of Chinese into the Territory," passed January 23, 1864.

H. B. No. 99—An act defining the boundaries of Yakima county and appointing officers of said county.

Bill read second time.

On motion of Mr. McCaw,

The bill was referred to the committee on Judiciary.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER:—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 29—An act to amend "an act in relation to prosecuting attorneys."

JAMES URQUHART,
Chairman.

H. B. No. 104—An act to incorporate the Chambers' Prairie Cemetery Association.

Bill read second time.

On motion of Mr. Hathaway,

The bill was referred to Thurston county delegation.

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District and regulating claims.

Bill read first time.

On motion of Mr. Weeks,

The rules were suspended and the bill read the second time.

On motion of Mr. Doane,

The bill was referred to committee on Mines and Mining.

H. B. No. 71—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864.

Bill read second time.

On motion of Mr. Hathaway,

The bill was laid on the table.

H. B. No. 88—An act guaranteeing corporations and others in the enjoyment of franchises granted by the Legislative Assembly of the Territory of Washington.

Bill read second time.

Mr. Clymer moved to lay the bill on the table.

Upon which motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clymer, Dray, Downey, McCaw, Sexton, Smith, and Weeks—10.

Those who voted in the negative are—

Messrs. Clark, Doane, Ford, Hathaway, Miller of Kitsap, Miller of Thurston, Morgan, McAuliff, McLane, Ruddell, Rowe, Struve, Tripp, Urquhartand Mr. Speaker—13.

Motion lost.

Mr. McLane moved that the bill be indefinitely postponed.

Motion carried.

Mr. Hathaway moved to reconsider the vote by which the bill was indefinitely postponed.

Motion lost.

Council substitute for H. B. No. 25—An act to regulate marriages.

Bill read first time.

On motion of Mr. Clark,

The rules were suspended and the bill was read a second time.

On motion of Mr. Hathaway,

The rules were further suspended and the bill read third time, passed and title agreed to.

C. B. No. 13—An act in relation to insolvent debtors.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read second time.

On motion of Mr. McLane,

The bill was referred to committee on Judiciary.

Council bill 36—An act for the relief of John M. Murphy.

Bill read first time.

On motion of Mr. McLane,

The rules were suspended and the bill was read a second time.

On motion of Mr. Urquhart,

The bill was referred to committee on Claims.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 16, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. B. No. 26—An act to authorize I. S. McFarland, Henry Marlin, their associates, heirs and assigns to build a bridge across the Columbia river.

H. B. No. 96—An act supplementary to an act to regulate suits for divorce and alimony, passed January 27, 1864, and to revive and renew an act passed January 18, 1863.

H. B. No. 64—An act for the better observance of Sunday.

H. B. No. 70—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

C. B. No. 13—An act in relation to insolvent debtors.

H. B. No. 94—An act authorizing George E. Allingham to build a wharf at Port Angeles.

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson."

H. B. No. 60—An act to apportion the representation of Washington Territory in the Legislative Assembly.

C. J. M. No. 3—Relative to an appropriation for the codification and re-publication of the laws of this Territory.

H. B. No. 36—An act to repeal an act entitled "an act to establish and locate a Territorial road from Skagit Head to Deception Pass, Island county."

H. B. No. 92—An act to provide for the election of county assessor in Lewis county.

H. B. No. 91—An act to incorporate the Simmilkimeen Quartz Mining Company.

Also that the Council concur in House amendments to

C. B. No. 11—An act to provide for the formation of corporation for certain purposes.

C. J. R. No. 7—Relative to adjourning *sine die*.

Also that the President has signed the following:

Substitute for H. B. No. 46—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of Chinese into this Territory," passed Jan. 23, 1864.

H. B. No. 29—An act to amend "an act in relation to prosecuting attorneys.

N. S. PORTER,
Chief Clerk.

H. B. No. 64—An act for the better observance of Sunday, with amendments by the Council.

On motion of Mr. Miller of Kitsap,

The House concurred in Council amendments to the bill.

H. B. No. 70—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863, with amendments by the Council.

On motion of Mr. Struve,

The House concurred in Council amendments to the bill.

C. J. M. No. 3—Relative to an appropriation for the codification and re-publication of the laws of Washington Territory.

Memorial read first time.

On motion of Mr. Morgan,

The rules were suspended and the memorial read second time.

On motion of Mr. Sexton,

The rules were further suspended and the memorial read the third time and passed.

Mr. McLane, chairman of committee on Indian Affairs, submitted the following report:

MR. SPEAKER—

Your committee on Indian Affairs, to whom was referred

H. B. No. 106—An act requiring the Territorial treasurer to submit an estimate of the probable expenses of the Territory,

Have had the same under consideration and direct me to report the same back with the following amendment, and recommend the passage of the bill as amended:

Amend the title by striking out the word "annually" and substitute "regular" for "annual" where it occurs in the bill.

WM. McLANE,
Chairman.

On motion of Mr. Miller of Kitsap,

Report received and committee discharged from the further consideration of the subject.

C. B. No. 15—An act authorizing the county commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail and repairing the court house and the improvement of the public grounds.

Bill read third time, passed and title agreed to.

H. B. No. 106—An act requiring the Territorial Treasurer to submit an estimate of the probable expenses of the Territory, taken up with report of committee thereon.

On motion of Mr, Ruddell,

The report of the committee was adopted.

Bill read third time, passed and title agreed to.

On motion of Mr. McLane,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 17, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Hathaway, Miller of Kitsap, McCaw, Ruddell, Rowe, Sexton, Struve, Urquhart, and Tripp.

Absent—Messrs. Grenell, Lloyd, Lee, McLane, McAuliff, Smith, Morgan, Miller of Thurston, Weeks, Mix and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 61—An act to incorporate the California State Telegraph Company.

H. B. No. 36—An act repealing an act entitled "an act to locate and establish a Territorial road from Skagit Head to Deception Pass in Island county,"

H. B. No. 67—An act in relation to licenses in Clalm county.

H. B. No. 73—An act to incorporate the Puget Sound Steam Navigation Company.

H. J. M. No. 11—Relative to school lands.

Substitute for H. B. No. 56—An act to repeal an act entitled an act to regulate suits for divorce and alimony, passed January 27th, 1864.

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia.

Council Substitute to H. B. No. 7—An act to prevent the building of fish-traps in Walla-walla river, Walla-walla county,

H. J. M. No. 12—Relative to Indians residing in Stevens county.

H. B. 51—An act in relation to licenses in King county.

H. B. No. 10—An act to prevent the spread of contagious and infectious diseases among domestic animals.

H. B. No. 62—An act concerning minors, their rights and liabilities.

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company.

H. B. No. 57—An act relating to suits in foreign judgments.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company.

H. B. No. 28—An act in relation to landlord and tenant.

H. B. No. 34—An act in relation to dogs in the counties of Island and Jefferson.

H. J. M. No. 7—Praying for an appropriation to build a road from Cathlamet to Boisfort Prairie.

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber and wood down Mill creek to Walla-walla city, in Walla-walla county.

H. B. No. 79—An act to abolish the office of assessor in the county of Island.

H. B. No. 66—An act relative to the duties of county auditor.

H. B. No. 78—An act fixing the times of holding the county commissioners' courts of Thurston county.

H. J. M. No. 14—Relative to cod and other fisheries on the Pacific coast.

JAMES URQUHART,
Chairman.

Mr. Ruddell, from the committee on Claims, reported as follows:

MR. SPEAKER—

Your committee on Claims, to whom was referred

H. B. No. 104—An act to incorporate the Chambers' Prairie Cemetery Association,

Have had the same under consideration and have directed me

to report it back and recommend its passage without amendments.

S. D. RUDDELL,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged from further consideration of the bill.

Mr. Sexton, from the committee on Corporations, reported as follows:

MR. SPEAKER—

The committee on Corporations to whom was referred

H. B. No. 90—An act to authorize W. D. Bigelow and his associates to establish a ferry across the Columbia river,

Have considered the same, and recommend that it do pass without amendment.

B. N. SEXTON,
Chairman.

On motion of Mr. Briggs,

Report received and committee discharged from further consideration of the bill.

Mr. Ruddell, of Thurston county delegation, submitted the following report:

MR. SPEAKER—

Your committee, the Thurston county delegation, to whom was referred

H. B. No. 76—An act to assess and collect a road tax in Thurston county,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend its passage with the following amendment:

Strike out the word "May," in Sec. 1, printed bill, and insert the word "April."

All of which is respectfully submitted.

S. D. RUDDELL,
Chairman.

On motion of Mr. Clymer,

Report received and committee discharged.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. No. 102—An act to repeal an act entitled "an act in relation to the county of Skamania,"

Have had the same under consideration, and beg leave to report the same back and recommend that the bill be laid on the table.

All of which is respectfully submitted.

SAMUEL McCAW,
Chairman.

Mr. Ruddell, from the committee on Claims, submitted the following report:

MR. SPEAKER—

Your committee on Claims, to whom was referred

C. B. No. 36—An act for the relief John M. Murphy,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

S. D. RUDDELL,
Chairman.

On motion of Mr. McCaw,

Report received and committee discharged from further consideration of the bill.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

C. B. No. 13—An act in relation to insolvent debtors,

Have had the same under consideration, and instruct me to report the same back without recommendation.

H. G. STRUVE,
Chairman.

On motion of Mr. Ruddell,

The report was received and the committee discharged from further consideration of the bill.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 98—An act prescribing certain duties of the Territorial auditor,

Beg leave to report that they have duly considered the same, and recommend the passage of said bill with the following amendments:

1. Amend the title of said bill so it shall read as follows: "'An act prescribing certain duties of the Territorial Auditor."

2. Amend Sec. 1 of said bill by adding thereto the following:

"That it shall be the duty of the Territorial Auditor, in lieu of making out duplicate warrants, to keep a correct register of all warrants issued by him, in tabular form, showing the number, date, amount, to whom payable, and for what payable, with an additional column in which to enter the date on which each warrant is redeemed."

3. Also further amend by adding the following:

"Sec. 2. This act shall take effect and be in force from and after its passage."

H. G. STRUVE,
Chairman.

Mr. McCaw, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee, to whom was referred

H. B. No. 63—An act in relation to the district courts in the first judicial district,

Beg leave to report that they have considered the same, and have instructed me to report the same back and recommend that it be made the order of the day for Friday, January 19th, 1866.

All of which is respectfully submitted.

SAMUEL McCAW,
Chairman.

The Speaker announced that he was about to sign the following:

H. B. No. 61—An act to incorporate the California State Telegraph Company.

H. B. No. 36—An act repealing an act entitled "an act to locate and establish a Territorial road from Skagit Head to Deception Pass in Island county,"

H. B. No. 67—An act in relation to licenses in Clalm county.

H. B. No. 73—An act to incorporate the Puget Sound Steam Navigation Company.

H. J. M. No. 11—Relative to school lands.

Substitute for H. B. No. 56—An act to repeal an act entitled an act to regulate suits for divorce and alimony, passed January 27th, 1864.

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia.

Council Substitute to H. B. No. 7—An act to prevent the building of fish-traps in Walla-walla river, Walla-walla county,

H. J. M. No. 12—Relative to Indians residing in Stevens county.

H. B. 51—An act in relation to licenses in King county.

H. B. No. 10—An act to prevent the spread of contagious and infectious diseases among domestic animals.

H. B. No. 62—An act concerning minors, their rights and liabilities.

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company.

H. B. No. 57—An act relating to suits in foreign judgments.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company.

H. B. No. 28—An act in relation to landlord and tenant.

H. B. No. 34—An act in relation to dogs in the counties of Island and Jefferson.

H. J. M. No. 7—Praying for an appropriation to build a road from Cathlamet to Boisfort Prairie.

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber

and wood down Mill creek to Walla-walla city, in Walla-walla county.

H. B. No. 79—An act to abolish the office of assessor in the county of Island.

H. B. No. 66—An act relative to the duties of county auditor.

H. B. No. 78—An act fixing the times of holding the county commissioners' courts of Thurston county.

H. J. M. No. 14—Relative to cod and other fisheries on the Pacific coast.

Mr. Andrews, chairman of select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. No. 81—An act to amend an act passed January 21, 1865, and an act in relation to prosecuting attorneys, passed January 19, 1863,

Have had the same under consideration, and instruct me to report the same back without recommendation.

L. T. B. ANDREWS,
Chairman.

On motion of Mr. McCaw,

Report and bill laid on the table subject to the order of the House.

Mr. Struve, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 99—An act defining the boundaries of Yakima county and appointing officers of said county,

Beg leave to report that they have duly considered the same, and recommend the passage of said bill with the following amendments:

1st. Amend the title of said bill so as to read: "An act appointing officers for the county of Yakima."

2d. Amend Sec. 1st of said bill by striking out all after

the enacting clause and inserting in the place thereof the following:

"That the following named persons be and the same are hereby appointed county officers of Yakima county, to-wit: F. M. Tharp, Wm. Parkes and A. Henson shall be county commissioners; John Nelson shall be judge of the probate court; Chas. Splawn shall be sheriff; Jackson Splawn shall be auditor, and M. Haines shall be justice of the peace, and the person herein appointed auditor is hereby authorized to administer the oath of office to the officers appointed herein, and he himself shall qualify before the county commissioners, or a majority of them, in the manner required by law; but the officers herein appointed shall only continue in such office by virtue of their appointment until the next general election, and until their respective successors are elected and qualified.

"Sec. 2. This act shall take effect and be in force from and after its passage."

All of which is respectfully submitted.

H. G. STRUVE,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. Clymer,

The committee on Elections were instructed to report to-morrow morning.

C. B. No. 16—An act for the appointment of a board of commissioners to revise and prepare a code of laws for the Territory of Washington.

Bill read second time.

On motion of Mr. Hathaway,

The bill was laid on the table subject to the order of the House.

Substitute for H. B. No. 85—An act to appropriate money out of the Territorial treasury.

Bill read second time.

Mr. Andrews moved to lay the substitute on the table and take up the original bill.

Motion carried.

H. B. No. 85—An act appropriating money for the location, construction and repairing of certain roads.

Bill read second time.

On motion of Mr. Struve,

The name of "Van Ogle" was stricken out and the name "W. R. Downey" inserted.

Mr. Smith moved to amend by adding "that a sum of eight hundred dollars be appropriated for the exploration and location of a road from Skagget river to Lake Chelan."

Upon this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clark, Dray, Doane, Ruddell, Downey, Hathaway, McCaw, Smith, Struve, Tripp and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Clymer, Ford, Rowe and Urquhart—4.

Amendment adopted.

Mr. Clymer moved that the word "Natches" be stricken out and the word "Snoqualmie" be inserted in lieu thereof.

Mr. McCaw moved to lay that motion on the table.

Motion carried.

After various amendments were proposed, the bill was referred to committee on Engrossed Bills.

Mr. Weeks submitted the following report:

MR. SPEAKER—

Your committee on conference have had the honor to wait on the Hon. Secretary of the Territory, and beg leave to report by letter of instruction to the Secretary from the Home Department.

SAMUEL WEEKS.

On motion of Mr. Ruddell,

Report received and committee discharged.

TREASURY DEPARTMENT,
Comptroller's Office,
January 18, 1861.

HENRY M. MCGILL, ESQ.,
Secretary of the Territory,
Olympia, Washington Territory:

SIR—Your letter of the 18th of November last, asking whether it is within your power to give the printing of the Assembly to any party other than the regularly elected printer, came duly to hand.

The Department does not desire to sanction the agitation of any issues arising out of the matters under your charge which may be productive of controversy. You will therefore take no steps to change the practice heretofore existing with regard to the execution of the public printing, unless the public sentiment and interest of the Territory should render such a course necessary and proper, and this it will not be difficult to ascertain.

I am, very respectfully,
Your obedient servant,
W. MEDILL,
Comptroller.

The House took a recess for half an hour.

House re-assembled.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 17, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage by the Council of the following:

Council bill 37—An act for the relief of Richard Lane.

C. B. No. 38—An act for the relief of C. C. Hewitt.

H. B. No. 86—An act for the relief of William Pickering, Governor of Washington Territory.

H. B. No. 83—An act providing for the appointment of inspectors for the St. John's Insane Asylum, and to prescribe their duties.

H. B. No. 72—An act to locate and re-locate a road from the junction of Lake river, in Clarke county, with Columbia Slough to the upper line of Wm. H. Dillon's donation land claim.

H. B. No. 74—An act concerning certain duties of sheriffs.

H. B. No. 106—An act requiring the Territorial treasurer to submit an estimate of the probable expenses of the Territory.

Also that the Council concur in House amendments to

C. B. No. 15—An act authorizing the county commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail and repairing the court house and the improvement of the public grounds.

Also that the President has signed the following:

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello.

C. B. No. 20—An act establishing pilotage on the Columbia river bar and Shoalwater Bay.

Also the indefinite postponement of

H. B. No. 65—An act regulating the hours of manual labor.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

H. B. No. 108—An act to explain an act entitled "an act relative to coroners," passed January 19, 1863.

Bill read third time.

On the final passage, the House refused to pass the bill.

H. B. No. 87—An act supplementary to an act incorporating the Cascade Rail Road Company, passed January 31, 1859.

Bill read second time.

Mr. Hathaway moved that the bill be indefinitely postponed.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Clark, Clymer, Dray, Doane, Ford, Downey, Hathaway, Miller of Kitsap, Ruddell, Struve, Tripp, and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Andrews, Grenell, Rowe, Sexton, Smith and McCaw—6.

Motion carried.

Mr. Struve moved a reconsideration of the vote by which the bill was indefinitely postponed.

Motion lost.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 17, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives that the President has signed the following bills, &c:

H. B. No. 61—An act to incorporate the California State Telegraph Company,

H. B. No. 79—An act to abolish the office of assessor in the county of Island.

H. B. No. 36—An act to repeal an act entitled "an act to establish and locate a Territorial road from Skagit Head to Deception Pass, Island county."

H. B. No. 57—An act relating to suits in foreign judgments.

H. B. No. 73—An act to incorporate the Puget Sound Steam Navigation Company.

H. J. M. No. 14—Relative to cod and other fisheries on the Pacific coast.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company,

H. B. No. 67—An act in relation to licenses in Clalm county.

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia.

Substitute to H. B. No. 56—An act to repeal an act entitled an act to regulate suits for divorce and alimony, passed January 27th, 1864.

H. J. M. No. 7—Praying Congress for an appropriation for a road from Cathlamet to Boisfort Prairie.

H. B. No. 51—An act in relation to licenses in King county.

H. B. No. 28—An act relative to landlord and tenant,

H. B. No. 10—An act to prevent the spread of contagious diseases among domestic animals.

H. B. No. 78—An act fixing the time for holding county commissioners' courts in Thurston county.

H. J. M. No. 12—Relative to Indians residing in Stevens county.

H. B. No. 37—An act to incorporate the Spilgie Creek Log Driving and Boom Company.

H. J. M. No. 11—Relative to school lands.

H. B. No. 7—An act to prevent the building of fish-traps in the county of Walla-walla.

H. B. No. 66—An act relative to the duties of county auditors,

H. B. No. 62—An act concerning minors, their rights and liabilities.

H. B. No. 34—An act in relation to dogs in the county of Island.

H. B. No. 24—An act authorizing Wm. O. Green, his associates and legal representatives, to raft logs, timber, and wood down Mill creek to the city of Walla-walla.

N. S. PORTER,
Chief Clerk.

H. B. No. 102—An act to repeal an act entitled "an act in relation to the county of Skamania."

Mr. Clark moved that the bill be indefinitely postponed.

Upon which motion the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Clymer, Briggs, Buzby, Clark, Dray, Doane, Ford, Downey, Hathaway, Miller of Kitsap, Ruddell, Struve, Tripp and Mr. Speaker—13.

Those who voted in the negative are—

Messrs. Andrews, McCaw, Rowe, Sexton—4.

Motion carried.

Mr. Hathaway moved to reconsider the vote by which the bill was indefinitely postponed.

Motion lost.

H. B. No. 69—An act establishing a common school system for the Territory of Washington.

Mr. Miller of Kitsap moved to indefinitely postpone the bill.

On this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Downey, Grenell, Miller of Kitsap and McCaw—5.

Those who voted in the negative are—

Messrs. Andrews, Clark, Clymer, Dray, Ford, Doane, Hathaway, Ruddell, Rowe, Sexton, Smith, Struve, Tripp, Urquhart and Mr. Speaker—15.

Motion lost.

On motion of Mr. Miller of Kitsap,

The counties of Kitsap, Clalm, Island and Pierce were excluded from the provisions of the bill.

On motion of Mr. Grenell,

The 13th section was stricken from the bill.

On motion of Mr. McCaw,

The 15th section was stricken from the bill.

Mr. Grenell moved to strike out Sec. 40.

Motion lost.

On motion of Mr. Clymer,

The rules were suspended and the bill was read third time, passed and title agreed to.

On motion of Mr. Grenell,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 18, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Hathaway, Miller of Kitsap, McAuliff, Morgan, Smith, Urquhart, Struve, Sexton, McCaw, Ruddell and Weeks.

Absent—Messrs. Grenell, Lloyd, Lee, McLane, Mix, Tripp, Rowe, Miller of Thurston and Vansickle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. McAuliff, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred the reports of the Territorial Auditor and Treasurer, beg leave to report that they have examined the books of those officers and compared their reports with the same, and find them correct.

All of which is respectfully submitted.

JAMES McAULIFF,
Chairman.

On motion of Mr. Hathaway,

Report received and committee discharged.

Mr. Buzby, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 95—An act in relation to roads,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House and recommend its passage with the following amendment:

Amend by striking out the word "out" in the 16th line of Section 1.

JAMES BUZBY,
Chairman.

On motion of Mr. Clymer,

Report received and committee discharged from further consideration of the bill.

The Speaker announced that he was about to sign the following:

C. J. M. No. 1—Praying for an appropriation for improvement of mail route from Olympia to Monticello.

C. B. No. 20—An act establishing pilotage on the Columbia river bar and Shoalwater Bay.

Mr. Morgan, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—

Your committee on Mines and Mining, to whom was referred

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District and regulating claims,

Have had the same under consideration, and beg leave to report the same back and recommend that the bill do not pass.

H. E. MORGAN,
Chairman.

On motion of Mr. Miller of Kitsap,

The report was received and the committee discharged from further consideration of the bill.

Mr. Miller, of Kitsap, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills have examined, and find correctly engrossed,

Substitute for H. B 85—An act appropriating money to aid in the location and construction of certain roads.

A. S. MILLER,
Chairman.

Mr. Andrews, chairman of committee on Elections, submitted the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

C. B. No. 8—An act relating to elections and the mode of supplying vacancies,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

L. T. B. ANDREWS,
Chairman.

On motion of Mr. Ruddell,

Report received and committee discharged from further consideration of the bill.

Mr. Andrews, chairman of committee on Elections, submitted the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. No. 59—An act to preserve the purity of elections and guard against the abuse of the elective franchise, by a registration of electors,

Having considered the same, have instructed me to report the bill back to the House and recommend Council bill No. 8 as a substitute therefor.

L. T. B. ANDREWS,
Chairman.

On motion of Mr. Urquhart,

Report received and committee discharged from the further consideration of the subject.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 18, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage by the Council of the following:

Council bill 31—An act repealing an act entitled "an act

incorporating the Dalles Portage company," passed December 19, 1859.

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes.

Council substitute for H. B. No. 69—An act establishing a common school system in Washington Territory.

C. B. No. 34—An act relating to public roads in the county of Clarke.

Also the indefinite postponement of the following:

H. B. No. 44—An act concerning the bond of Territorial Printer.

H. B. No. 58—An act to prevent the mutilation, alteration or destruction of acts and bills.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Urquhart,

H. B. No. 80—An act to provide for the assessing and collecting of Territorial and school revenue, was taken up.

Bill read second time.

Mr. Weeks moved to amend by striking out "two" and inserting "three" mills.

Motion carried.

Bill read third time, passed and title agreed to.

H. B. No. 101—An act conferring certain powers on county commissioners' courts.

Bill read second time.

On motion of Mr. Hathaway,

The bill was referred to committee on Counties.

Second reading of bills.

C. B. No. 8—An act relating to elections and the mode of supplying vacancies.

Bill read second time.

Mr. Sexton moved to amend by inserting in Sec. 1, line 2d, "that all American citizens above the age of 21 years who can read and write."

Mr. Struve moved to lay that motion on the table.

Upon which motion the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Buzby, Clymer, Doane, Downey, Hathaway, Miller of Kitsap, McCaw, McAuliff, Smith, Struve, Tripp and Weeks—14.

Those who voted in the negative are—

Messrs. Clark, Dray, Ford, Grenell, Morgan, Ruddell, Rowe, Sexton, Urquhart and Mr. Speaker—10.

Motion carried.

Mr. McCaw moved to amend by adding after the word "Territory," the words "and all half-breeds who have adopted the habits of the whites."

Mr. Ruddell moved to amend by adding the words "and mulattoes."

Upon this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Clark, Grenell, Ruddell, Sexton, Tripp and Mr. Speaker—6.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Buzby, Clymer, Dray, Doane, Downey, Ford, Hathaway, Miller of Kitsap, Morgan, McCaw, McAuliff, Rowe, Smith, Struve, Urquhart and Weeks—18.

Amendment of Mr. Ruddell lost.

The question recurring on the original motion, the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Clark, Dray, Downey, Grenell, McCaw, Ruddell, Smith, Struve and Urquhart—9.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Buzby, Clymer, Doane, Hathaway, Ford, Miller of Kitsap, Morgan, McAuliff, Rowe, Sexton, Tripp, Weeks and Mr. Speaker—15.

Motion of Mr. McCaw lost.

Mr. McCaw moved the following amendment to Section 1:

"and all American half-breed Indians who hold land under the donation law, and who can read and write and have adopted the habits of the whites."

On motion of Mr. Tripp,

The word "Indian" was stricken out.

Motion as amended adopted.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 18, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of

H. J. M. No. 10—Relative to San Juan Island, with amendments.

N. S. PORTER,
Chief Clerk.

House resumed the consideration of C. B. No. 8, and after various amendments, the rules were suspended and the bill was read third time, passed and title agreed to.

On motion of Mr. Miller of Thurston,

The clerk was instructed to report the passage of the bill to the Council.

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington.

Memorial read third time.

On the passage of the memorial, the ayes and noes were demanded, with the following result:

Those voting in the affirmative are—

Messrs. Briggs, Bixby, Clark, Clymer, Dray, Doane, Ford, Downey, Miller of Kitsap, Morgan, McCaw, McAuliff, Smith, Tripp and Urquhart—15.

Those who voted in the negative are—

Messrs. Andrews, Hathaway, McLane, Ruddell, Sexton, Struve, Weeks and Mr. Speaker—8.

So the memorial passed.

H. B. No. 97—An act providing for the payment of the necessary traveling expenses of judges of the district courts.

Bill read second time.

On motion of Mr. McAuliff,

The bill was referred to committee on Claims.

C. B. No. 13—An act in relation to insolvent debtors.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was indefinitely postponed.

H. B. No. 99—An act appointing officers for the county of Yakima, W. T., with report of committee thereon.

On motion of Mr. Weeks,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. McCaw,

The rules were suspended and the bill read a third time, passed and the title agreed to.

H. B. No. 81—An act to amend an act passed January 21, 1865, and an act in relation to prosecuting attorneys, passed January 19, 1863.

Bill read second time.

Mr, Weeks moved that the bill be indefinitely postponed.

On this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Clark, Clymer, Dray, Downey, Grenell, Miller of Kitsap, Morgan, McCaw, McAuliff, Sexton, Smith, Weeks and Mr. Speaker—15.

Those who voted in the negative are—

Messrs. Andrews, Doane, McLane, Ruddell and Struve—5.

So the bill was indefinitely postponed.

H. B. No. —An act to authorize John Shaw and A. Rollis and their associates to establish a ferry on the Columbia river.

Bill read second time.

On motion of Mr. Morgan,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

H. B. No. 76—An act to assess and collect a road tax in Thurston county.

Bill read second time.

Amended by striking out Sec. 4.

On motion of Mr. McLane,

The rules were suspended and the bill read a third time, passed and the title agreed to.

H. B. No. 104—An act to incorporate the Chambers' Prairie Cemetery Association.

Bill read second time.

On motion of Mr. Ruddell,

The rules were suspended and the bill read the third time, passed and title agreed to.

Council bill 36—An act for the relief of John M. Murphy.

Bill read second time.

On motion of Mr. McAuliff,

The rules were suspended and the bill read third time, passed and title agreed to.

H. B. No. 59—An act to preserve the purity of elections and guard against the abuse of the elective franchise by a registration of voters.

Bill read second time.

On motion of Mr. McCaw,

The bill was indefinitely postponed.

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District.

Bill read second time.

On motion of Mr. McAuliff,

The bill was indefinitely postponed.

H. B. No. 95—An act in relation to roads, with report of committee thereon.

On motion of Mr. Sexton,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Andrews,

The rules were suspended and the bill read third time, passed and the title agreed to.

H. B. No. 85—An act appropriating money for the location, construction and repairing of certain roads.

Bill read third time.

On the passage of the bill, the ayes and noes were demanded with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Buzby, Clark, Downey, Ford, Hathaway, Miller of Kitsap, McCaw, McAuliff, Ruddell, Smith, Struve and Mr. Speaker—13.

Those who voted in the negative are—

Messrs. Briggs, Clymer, Dray, Doane, Grenell, Morgan, McLane, Rowe, Sexton, Urquhart and Weeks—11.

So the bill passed and title agreed to.

H. J. M. No. 10—Relative to San Juan Island, with Council amendments.

On motion of Mr. Sexton,

The House concurred in Council amendments to the memorial.

Council bill 31—An act repealing an act entitled "an act incorporating the Dalles Portage company," passed December 19, 1859.

Bill read first time by title.

On motion of Mr. Miller of Kitsap,

The rules were suspended and the bill was read a second time.

On motion of Mr. Hathaway,

The bill was referred to committee on Counties.

C. B. No. 34—An act relating to public roads in the county of Clarke.

Bill read first time.

On motion of Mr. Clark,

The rules were suspended and the bill read the second time.

On motion of Mr. Tripp,

The rules were further suspended and the bill read a third time, passed and the title agreed to.

Council bill 37—An act for the relief of Richard Lane.

Bill read first time.

On motion of Mr. McAuliff,

The rules were suspended and the bill read the second time.

On motion of Mr. McLane,

The bill was referred to committee on Claims.

C. B. No. 38—An act for the relief of C. C. Hewitt.

Bill read first time.

On motion of Mr. Briggs,

The bill was laid on the table subject to the order of the House.

On motion of Mr. Miller of Kitsap,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 19, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Hathaway, Miller of Kitsap, McAuliff, Morgan, Smith, Urquhart, Struve, Sexton, McCaw, Ruddell, Rowe and Grenell.

Absent—Messrs. Lloyd, Lee, McLane, Mix, Tripp, Miller of Thurston, Vansickle and Weeks.

Prayer by the Chaplain.

On motion of Mr. Hathaway,

The action of the House in reference to H. B. No. 69 was stricken from the journal.

Journal of yesterday read and approved.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 23, 1863.

H. B. No. 26—An act to authorize I. S. McFarland, Henry Marlin, their associates, heirs and assigns to build a bridge across the Columbia river.

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-walla."

H. B. No. 93—An act to incorporate the Grand Mound Union Cemetery Association.

H. J. R. No. 9—Relative to the Northern Pacific Rail Road.

H. B. No. 106—An act requiring the Territorial treasurer to submit an estimate of the probable expenses of the Territory.

H. B. No. 94—An act authorizing George E. Allingham to build a wharf at Port Angeles.

H. B. No. 96—An act supplementary to an act to regulate suits for divorce and alimony, passed January 27, 1864, and to revive and renew an act passed January 18, 1863.

H. B. No. 92—An act to provide for the election of county assessor in Lewis county.

H. B. No. 64—An act for the better observance of Sunday.

H. B. No. 91—An act to incorporate the Simmilkmeen Quartz Mining Company.

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost.

H. J. M. No. 8—In relation to a military road from Willopa to Black river.

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson."

H. B. No. 60—An act to apportion the representation of Washington Territory in the Legislative Assembly.

H. B. No. 89—An act to authorize the voters of school district No. 2, Lewis county, to levy a tax to build a school house.

H. B. No. 41—An act for the protection of sheep and wool growers.

H. B. No. 70—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

JAMES URQUHART,
Chairman.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

C. B. No. 31—An act repealing an act entitled "an act incorporating the Dalles Portage Company," passed December 19, 1859,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

All of which is respectfully submitted.

SAMUEL McCAW,
Chairman.

On motion of Mr. Clymer,

The report of the committee was received and adopted.

Mr. Andrews, chairman of committee on Elections, submitted the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. No. 97—An act providing for the payment of the necessary traveling expenses of judges of the district courts,

Have had the same under consideration, and would respectfully beg leave to report the same back to the House without recommendation.

L. T. B. ANDREWS,
Chairman.

On motion of Mr. Urquhart,

The report was received and the committee discharged from further consideration of the bill.

On motion of Mr. Struve,

The rules were suspended to take from the table

Council substitute for H. B. No. 69—An act establishing a common school system in Washington Territory.

Bill read first time.

On motion of Mr. Ruddell,

The rules were suspended and the bill was read a second time.

On motion of Mr. Hathaway,

The rules were futher suspended, and the bill read a third time.

On motion of Mr. Morgan,

Messrs. McCaw and Buzby were excused from voting.

Bill passed and title agreed to.

On motion of Mr. Ruddell,

Mr. Lane was invited within the bar to make a statement in reference to C. B. No. 37.

Message from the Governor announcing his approval of the following bills:

H. B. No. 47—An act in relation to the road tax in Whatcom county.

H. B. No. 42—An act to amend an act entitled "an act relative to crimes and punishments in criminal cases."

H. B. No. 55—An act repealing an act entitled "an act

making county auditors *ex officio* clerks of the probate courts of their respective counties.

H. B. No. 52—An act to authorize M. B. Maddock, his heirs and assigns, to keep a ferry on White river.

H. B. No. 14—An act to incorporate the Mount Rainier Quartz Mining Company.

H. B. No. 30—An act to provide for the payment of the costs and expenses of keeping and maintaining the insane and idiotic persons.

H. B. No. 38—An act to amend an act to incorporate the Washington Woolen Manufacturing Company.

H. B. No. 15—An act to amend an act conferring certain powers on the city of Walla-walla.

H. B. No. 18—An act to locate a Territorial Road from Cathlamet, in Wahkiakum county, to Oak Point, in Cowlitz county.

H. B. No. 13—An act authorizing the corporate authorities of Vancouver to appropriate the proceeds of certain licenses for certain purposes.

H. B. No. 21—An act allowing the tax-payers of Chehalis, residing at Gray's Harbor, to perform their road labor on the tide-water in removing obstructions and staking out the channel of said harbor,

H. B. No. 22—An act authorizing S. W. Percival to build a wharf in the town of Olympia,

H. B. No. 23—An act to repeal an act entitled an act to regulate the fees of County Auditor and Probate Judge of the county of Kitsap.

H. B. No. 24—An act authorizing William O. Green, his heirs and associates and legal representatives to raft logs, timber and wood down Mill creek to Walla-walla city, in Walla-walla county.

H. B. No. 79—An act to abolish the office of assessor in the county of Island.

H. B. No. 66—An act relative to the duties of county auditor.

H. B. No. 78—An act fixing the times of holding the county commissioners' courts of Thurston county.

H. B. No. 1—An act for the relief of Stephen Judson, sheriff of Pierce county.

H. B. No. 2—An act conferring certain powers upon the city of Walla-walla.

H. B. No. 3—An act to establish the southern boundary of King county.

H. B. No. 6—An act to authorize S. H. Foster to establish a ferry on Black river, in King county.

H. B. No. 9—An act conferring additional powers upon the City Recorder of the city of Vancouver.

H. B. No. 11—An act appointing an Enrolling Clerk, and providing for payment for his services.

H. B. No. 10—An act to prevent the spread of contagious and infectious diseases among domestic animals.

H. B. No. 62—An act concerning minors, their rights and liabilities.

H. B. No. 37—An act to incorporate the Spillgee Creek Log Driving and Boom Company.

H. B. No. 57—An act relating to suits in foreign judgments.

H. B. No. 39—An act to incorporate the Chehalis Manufacturing and Navigation Company.

H. B. No. 28—An act in relation to landlord and tenant.

H. B. No. 34—An act in relation to dogs in the counties of Island and Jefferson.

Substitute for H. B. No. 56—An act to repeal an act entitled an act to regulate suits for divorce and alimony, passed January 27th, 1864.

H. B. No. 53—An act authorizing W. N. Horton and associates to lay water pipes in the town of Olympia.

H. B. No. 61—An act to incorporate the California State Telegraph Company.

H. B. No. 36—An act repealing an act entitled "an act to locate and establish a Territorial road from Skagit Head to Deception Pass in Island county,"

H. B. No. 67—An act in relation to licenses in Clalm county.

H. B. No. 32—An act to authorize James Lee to establish a ferry on the Columbia river.

H. B. No. 103—An act to appropriate money for a ceratin purpose.

Bill read second time.

On motion of Mr. Miller of Kitsap,

The bill was laid on the table subject to the order of the House.

On motion of Mr. Struve,

H. B. No. 98—An act prescribing certain duties of the Territorial auditor, with report of committee thereon, was taken up.

On motion of Mr. Buzby,

The report of the committee was adopted.

Bill read second time.

On motion of Mr. Andrews,

The rules were suspended and the bill read a third time, passed and the title agreed to.

Mr. Ruddell, from the committee on Claims, reported as follows:

MR. SPEAKER—

Your committee on Claims, to whom was referred

C. B. No. 37—An act for the relief of Richard Lane,

Have had the same under consideration, and have instructed me to report the same back and recommend the same to this House for their consideration.

All of which is respectfully submitted.

S. D. RUDDELL,
Chairman.

On motion of Mr. Urquhart,

Report received and committee discharged from further consideration of the bill.

On motion of Mr. Tripp,

H. B. No. 105—An act for the relief of _____ was taken from the table.

On motion of Mr. Miller of Kitsap,

The bill was referred to committee on Education.

Mr. Sexton in the chair.

C. B. No. 37—An act for the relief of Richard Lane.

Bill read second time.

Mr. Andrews moved to strike out "$200" and insert "$100" in lieu thereof.

On this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Briggs, Clymer, Sexton and Urquhart—5

Those who voted in the negative are—

Messrs. Buzby, Clark, Dray, Doane, Downey, Ford, Hathaway, Miller of Kitsap, Morgan, McCaw, McAuliff, Smith, Struve, Tripp, Weeks and Mr. Speaker—17.

Amendment lost.

Bill read third time.

On the passage of the bill, the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Buzby, Clark, Dray, Doane, Downey, Ford, Hathaway, Miller of Kitsap, Morgan, McCaw, McAuliff, Smith, Struve, Tripp, Weeks and Mr. Speaker—17.

Those who voted in the negative are—

Messrs. Briggs, Clymer, Ruddell, Rowe, Sexton and Urquhart—6.

So the bill passed and title agreed to.

On motion of Mr. McCaw,

The clerk was instructed to report all bills that have passed the House to the Council.

On motion of Mr. Downey,

The House took a recess for half an hour.

House re-assembled.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 19, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage by the Council of the following:

C. J. R. No. 9—Relative to paying Charles A. White for services in enrolling bills, memorials, resolutions, &c., during the present session.

C. J. R. No. 8—Relative to adjourning *sine die*.

Also that the President has signed the following:

C. B. No. 15—An act authorizing the county commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail and repairing the court house and the improvement of the public grounds.

H. substitute to C. B. No. 10—An act declaring legitimate the issue of marriages of white men and Indian women.

Council substitute for H. B. No. 25—An act to regulate marriages.

C. B. No. 23—An act to repeal an act to provide for the acknowledgment of deeds out of this Territory, passed January 21, 1865.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The Speaker announced that he was about to sign the following:

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 23, 1863.

H. B. No. 26—An act to authorize I. S. McFarland, Henry Marlin, their associates, heirs and assigns to build a bridge across the Columbia river.

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-walla."

H. B. No. 93—An act to incorporate the Grand Mound Union Cemetery Association.

H. J. R. No. 9—Relative to the Northern Pacific Rail Road.

H. B. No. 106—An act requiring the Territorial treasurer to submit an estimate of the probable expenses of the Territory.

H. B. No. 94—An act authorizing George E. Allingham to build a wharf at Port Angeles.

H. B. No. 96—An act supplementary to an act to regulate suits for divorce and alimony, passed January 27, 1864, and to revive and renew an act passed January 18, 1863.

H. B. No. 92—An act to provide for the election of county assessor in Lewis county.

H. B. No. 64—An act for the better observance of Sunday.

H. B. No. 91—An act to incorporate the Simmilkimeen Quartz Mining Company.

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost.

H. J. M. No. 8—In relation to a military road from Willopa to Black river.

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson."

H. B. No. 60—An act to apportion the representation of Washington Territory in the Legislative Assembly.

H. B. No. 89—An act to authorize the voters of school idstrict No. 2, Lewis county, to levy a tax to build a school house.

H. B. No. 41—An act for the protection of sheep and wool growers.

H. B. No. 70—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

Mr. McCaw moved a reconsideration of the vote by which the House indefinitely postponed

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District.

Motion carried.

On motion of Mr. McCaw,

The bill was amended by striking out the "7th parallel" and inserting the "4th parallel" in lieu thereof.

On motion of Mr. Doane,

The rules were suspended and the bill was read third time, passed and title agreed to.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes.

H. B. No. 83—An act providing for the appointment of inspectors for the St. John's Insane Asylum, and to prescribe their duties.

H. B. No. 86—An act for the relief of William Pickering, Governor of Washington Territory.

H. B. No. 72—An act to locate and re-locate a road from the junction of Lake river, in Clarke county, with Columbia Slough to the upper line of Wm. H. Dillon's donation land claim.

H. B. No. 74—An act concerning certain duties of sheriffs.

JAMES URQUHART,
Chairman.

H. J. M. No. 13—Relative to absence of Federal officers of Washington Territory.

Memorial read second time.

Mr. Clymer moved the indfinite postponement of the memorial.

Mr. Miller of Kitsap moved to lay that motion on the table.

Motion carried.

Mr. Grenell moved that the memorial be laid on the table.

Motion lost.

Mr. Smith moved that the memorial be indefinitely postponed.

Mr. Briggs moved to lay that motion on the table.

Motion lost.

The question recurring on the indefinite postponement of the memorial, the ayes and noes were demanded, with the following result:

Those voting in the affirmative are—

Messrs. Andrews, Buzby, Clark, Clymer, Doane, Grenell, Hathaway, Ruddell, Rowe, Sexton, Smith, Struve and Mr. Speaker—13.

Those who voted in the negative are—

Messrs. Briggs, Dray, Downey, Ford, Miller of Kitsap, McCaw, Morgan, McAuliff, Tripp, Urquhart and Weeks—11.

So the memorial was indefinitely postponed.

C. B. No. 31—An act repealing an act entitled "an act incorporating the Dalles Portage Company," passed December 19, 1859.

Bill read third time, passed and title agreed to.

C. J. R. No. 7—Relative to adjourning *sine die*.

Resolution read first time.

On motion of Mr. Grenell,

The rules were suspended and the resolution read second time.

On motion of Mr. McCaw,

The rules were further suspended and the resolution read third time and passed.

On motion of Mr. McCaw,

The clerk was instructed to report the passage of all bills to the Council.

H. B. No. 97—An act providing for the payment of the necessary traveling expenses of judges of the district courts.

Bill read second time and laid on the table.

C. J. R. No. 9—Relative to paying Chas. A. White for services in enrolling bills, memorials, resolutions, &c., during the present session.

Resolution read first time.

On motion of Mr. Briggs,

The rules were suspended and the resolution read second time and amended.

On motion of Mr. McAuliff,

The rules were further suspended and the resolution was read third time and passed.

On motion of Mr. Morgan,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, January 20, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Briggs, Buzby, Clark, Clymer, Dray, Doane, Downey, Ford, Hathaway, Miller of Kitsap, McAuliff, Morgan, Smith, Urquhart, Struve, Sexton, McCaw, Ruddell, Rowe and Grenell.

Absent—Messrs. Lloyd, Lee, McLane, Mix, Tripp, Miller of Thurston, Vansickle and Weeks.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Sexton presented a petition from citizens of Walla-walla city in reference to an extension of city charter.

Mr. McAuliff presented a remonstrance against the above petition.

On motion of Mr. Struve,

House bill 100—An act providing for the holding of a special term of the Supreme Court of Washington Territory, was taken up.

Bill read second time.

On motion of Mr. Sexton,

The rules were suspended and the bill was read a third time, passed and the title agreed to.

On motion of Mr. Miller of Kitsap,

The Clerk was instructed to inform the Council forthwith of the passage of the bill.

Mr. Urquhart, chairman of committee on Enrolled Bills, submitteed the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates, to survey, cut and construct ditches or canals for mining purposes.

H. J. No. 10—Relative to San Juan Island.

JAMES URQUHART,
Chairman.

On motion of Mr. Hathaway,

The House took a recess of thirty minutes.

House re-assembled.

Mr. McCaw, from the committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. No. 101—An act conferring certain powers on county commissioners' courts,

Have had the same under consideration and direct me to report the same back with the following amendment, and recommend the passage of the bill as amended:

Amend the title by adding "of Cowlitz county."

Amend Section 1, by adding after the enacting clause,

"That the county commissioners' court of the county of Cowlitz may, upon the petition of the owner or owners of any block or blocks in the town of Freeport, in the county of Cow-

litz, authorize the owner or owners of said blocks to postpone the opening of the streets of any part of the said town of Freeport, without vacating the plat of said town, where it will not interfere with the ingress or egress of parties owning or holding in possession the same, so as to compel them to pass over lands owned or occupied by others; but when necessity shall exist, it shall be their duty, and they are hereby empowered to order any or all said streets to be opened.

"Sec. 2. This act shall take effect and be in force from and after its passage."

SAMUEL McCAW,
Chairman.

On motion of Mr. Tripp,

The report of the committee was received and adopted. Bill read third time, passed and title agreed to.

C. J. R. No. 9—Relative to paying Charles A. White for services in enrolling bills, memorials, resolutions, &c., during the present session.

On motion of Mr. Smith,

The House concurred in Council amendments to the resolution.

Mr. Ford, from the committee on Territorial Library, made the following report:

MR. SPEAKER—

Your committee on Territorial Library, to whom was referred the report of the Territorial Librarian, would respectfully submit the following:

They have examined and counted the books in the Library, and find the report of Mr. J. C. Head, dated Dec. 20, 1865, substantially correct.

G. FORD,
Chairman.

The Speaker announced that he was about to sign the following:

H. B. No. 86—An act for the relief of William Pickering, Governor of Washington Territory.

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates, to survey, cut and construct ditches or canals for mining purposes.

H. J. No. 10—Relative to San Juan Island.

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes.

H. B. No. 83—An act providing for the appointment of inspectors for the St. John's Insane Asylum, and to prescribe their duties.

H. B. No. 72—An act to locate and relocate a road from the junction of Lake river, in Clarke county, with Columbia Slough to the upper line of Wm. H. Dillon's donation land claim.

H. B. No. 74—An act concerning certain duties of sheriffs.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 20, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage by the Council of the following:

H. B. No. 95—An act in relation to removing obstructions to roads.

H. B. No. 76—An act to assess and collect a road tax in Thurston county.

H. B. No. 90—An act to authorize W. D. Bigelow and his associates to establish a ferry across the Columbia river.

H. B. No. —An act to authorize John Shaw and A. Rollis and their associates to establish a ferry on the Columbia river.

H. B. No. 98—An act prescribing certain duties of the Territorial auditor.

H. B. No. 104—An act to incorporate the Chambers' Prairie Cemetery Association.

H. B. No. 80—An act to provide for the assessing and collecting Territorial and school revenue.

H. B. No. 99—An act appointing officers for the county of Yakima, W. T.

C. B. No. 11—An act to provide for the formation of corporation for certain purposes.

Also that the Council concur in House amendments to

Council substitute for H. B. No. 69—An act establishing a common school system in Washington Territory.

Also that the Council concur in House amendments to

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District and regulating claims.

Also that the Council refuse to concur in House amendments to

C. J. R. No. 9—Relative to paying Chas. A. White for services in enrolling bills, memorials, resolutions, &c., during the present session.

Also that the President has signed the following:

H. B. No. 86—An act for the relief of William Pickering, Governor of Washington Territory.

H. B. No. 74—An act concering certain duties of sheriffs.

H. B. No. 72—An act to locate and re-locate a road from the mouth of Lake river, in Clark county, to the upper line of W. H. Dillon's donation claim.

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries, and other societies for benevolent, temperance, charitable and scientific purposes.

H. B. No. 83—An act providing for the appointment of inspectors of the St. John's Asylum and to prescribe their duties.

H. B. No. 96—An act to assess and collect a road tax in Thurston county.

H. B. No. 41—An act for the protection of sheep and wool growers.

H. B. No. 70—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

H. B. No. 93—An act to incorporate the Grand Mound Union Cemetery Association.

H. B. No. 92—An act to provide for the election of county assessor in Lewis county.

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson."

H. B. No. 26—An act to authorize I. S. McFarland, Henry Marlin, their associates, heirs and assigns to build a bridge across the Columbia river.

H. B. No. 89—An act to authorize the voters of school idstrict No. 2, Lewis county, to levy a tax to build a school house.

H. B. No. 94—An act authorizing George E. Allingham to build a wharf at Port Angeles.

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-walla."

H. B. No. 60—An act to apportion the representation of Washington Territory in the Legislative Assembly.

H. B. No. 106—An act requiring the Territorial treasurer to submit an estimate of the probable expenses of the Territory.

H. B. No. 91—An act to incorporate the Simmilkimeen Quartz Mining Company.

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost.

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 23, 1863.

H. B. No. 64—An act for the better observance of Sunday.

H. B. No. 96—An act supplementary to an act to regulate suits for divorce and alimony, passed January 27, 1864, and to revive and renew an act passed January 18, 1863.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

Mr. Hathaway, from the committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 105—An act for the relief of ————

Have had the same under consideration, and have instructed me to report the same back to the House of Representatives without recommendation.

M. R. HATHAWAY,
Chairman.

On motion of Mr. McLane,

The report of the committee was received and adopted.

H. B. No. 105—An act for the relief of ———

Bill read second time.

On motion of Mr. Grenell,

The bill was laid on the table subject to the orders of the House.

Mr. Struve moved to suspend the rules and take from the table

H. B. No. 97—An act providing for the payment of the necessary traveling expenses of judges of the district courts.

Motion lost.

Mr. Smith moved a reconsideration of the vote.

Motion carried.

Mr. Smith moved the indefinite postponement of the bill.

On this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Briggs, Buzby, Dray, Downey, Miller of Kitsap, Morgan, McCaw, McAuliff, Ruddell, Smith, Urquhart and Weeks—12.

Those who voted in the negative are—

Messrs. Andrews, Clark, Clymer, Doane, Ford, Grenell, Hathaway, Rowe, Sexton, Struve, Tripp and Mr. Speaker—12.

Motion lost.

On motion of Mr. Miller of Kitsap,

The bill was laid on the table and made the special order for the first day of April.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 19, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives that the President has signed the following bills, &c:

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates to survey, cut and construct ditches or canals for mining purposes.

H. J. M. No. 10—Relative to San Juan Island.

Also the passage of

H. B. No. 85—An act appropriating money for the location, construction and repairing of certain roads.

H. B. No. 101—An act conferring certain powers on the county commissioners' courts of Cowlitz county.

N. S. PORTER,
Chief Clerk.

Substitute for H. B 85—An act appropriating money to aid in the location and construction of certain roads, with Council amendments.

Mr. Andrews moved that the House concur in Council amendments.

On this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Clark, Clymer, Ford, Hathaway, Miller of Kitsap, McCaw, Rowe, Struve, Tripp and Mr. Speaker—11.

Those who voted in the negative are—

Messrs. Briggs, Buzby, Dray, Downey, Doane, Morgan, McLane, McAuliff, Ruddell, Smith, Urquhart and Weeks—12.

On motion of Mr. Miller of Kitsap,

The clerk was instructed to inform the Council of the refusal of the House to concur.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 20, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House that the President has signed

Council bill 31—An act repealing an act entitled "an act incorporating the Dalles Portage company," passed December 19, 1859.

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District.

C. B. No. 34—An act relating to public roads in the county of Clarke.

Council bill 36—An act for the relief of John M. Murphy.

C. B. No. 37—An act for the relief of Richard Lane.

C. J. M. No. 3—Relative to an appropriation for the codification and re-publication of the laws of this Territory.

C. J. R. No. 8—Relative to adjourning *sine die.*

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 20, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council refuses to concur to the House amendments to

H. B. No. 85—An act appropriating money to aid in the construction and repair of certain roads, and have appointed Messrs. Denny, Van Bokkelen and Farnsworth a committee of conference to meet a like committee from the House relative to said amendments.

Also that the President has signed

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

Mr. Miller of Kitsap moved that a committee of three be appointed to act as a committee of conference on the part of the House in reference to

H. B. No. 85—An act appropriating money to aid in the repair and construction of certain roads.

Motion carried.

The Speaker appointed Messrs. Miller of Kitsap, Struve and Buzby said committee.

Mr. Miller of Kitsap, chairman of committee of Conference, submitted the following report:

MR. SPEAKER—

Your committee of Conference appointed to confer with a like committee on the part of the Council, on

H. B. No. 85—An act appropriating money to aid in the location, construction and repair of certain roads,

Beg leave to report that they have discharged the duty imposed upon them, and recommend the passage of the bill as amended by the Council, and further amend by adding to Sec. 7 an amendment.

A. S. MILLER,
Chairman.

Mr. Andrews moved the adoption of the report of the committee.

Upon this motion the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Andrews, Buzby, Clark, Clymer, Ford, Grenell, Hathaway, Miller of Kitsap, McCaw, Ruddell, Rowe, Sexton, Smith, Struve, Tripp and Mr. Speaker—16.

Those who voted in the negative are—

Messrs. Briggs, Dray, Doane, Downey, Morgan, McLane, McAuliff, Urquhart and Weeks—9.

Motion carried.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 20, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the adoption by the Council of the report of the committee of Conference on

H. B. No. 85—An act appropriating money to aid in the location, construction and repair of certain roads, and concur in House amendments to the Council amendment to the same.

N. S. PORTER,
Chief Clerk.

Message from the Governor announcing his approval of the following bills:

H. B. No. 20—An act relating to Witnesses and Evidence.

C. B. No. 9—An act to authorize O. F. Gerrish and H. L. Tibbals and associates to build a wharf at the foot of Taylor street in Port Townsend.

H. B. No. 4—An act to authorize William Nix and James Monahan to construct a bridge across Spokane river.

H. B. No. 19—An act to amend an act entitled an act to authorize Willis Powell and Thomas Powell to construct and keep a Ferry on the Cathapoodle river, passed January 11, 1865.

H. B. No. 50—An act to restrain and license dance houses in the counties of Kitsap, Jefferson, King and Clarke.

C. B. No. 15—An act authorizing the county commissioners of Jefferson county to borrow money and issue bonds for the same for the purpose of building a jail and repairing the court house and the improvement of the public grounds.

H. substitute to C. B. No. 10—An act declaring legitimate the issue of marriages of white men and Indian women.

Council substitute for H. B. No. 25—An act to regulate marriages.

C. B. No. 23—An act to repeal an act to provide for the acknowledgment of deeds out of this Territory, passed January 21, 1865.

H. B. No. 41—An act for the protection of sheep and wool growers.

H. B. No. 70—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

Mr. McLane, of Thurston, introduced the following resolutions:

WHEREAS, This is the only Territory within the borders of the United States in which the doctrine is advocated by the Secretary of the Territory that the appointing of the Public Printer is an act over which the Legislative Assembly has no control whatever; and

WHEREAS, Through certain representations made by the Hon Elwood Evans, present Secretary of the Territory, to the Hon. the Treasury Department at Washington, a letter was received by him from the Treasury Department, stating that "by a decision of the Hon. the Secretary of the Treasury, the Secretary of the Territory, and not the Legislature, has the appointing of the Public Printer;" and

WHEREAS, The present Secretary has exercised that power in a manner highly distasteful to the friends of the Administration, though approved by two opposition Legislative Assemblies; and

WHEREAS, The present Legislative Assembly, dissatisfied with the course pursued by the Secretary, did in joint convention elect a Public Printer; and

WHEREAS, The Secretary ignores the action of the Legislative Assembly, and refuses to acknowledge the person so elected as Public Printer, at the same time endeavoring to create a prejudice against him and prevent his obtaining compensation for the work he has done and is doing; therefore

Resolved by the House of Representatives of the Territory of Washington, That we believe the Legislative Assembly has the right to the full control of its business in all its stages until it

becomes the published law of the land, and in order thereto, claim the right of the Legislative Assembly to elect a Public Printer.

Resolved, That the Hon. the Secretary of the Treasury be requested to fully investigate all the circumstances of this case, and determine whether the Government will sustain the Legislative Assembly in the exercise of this, we believe, legitimate right.

Resolved, That our Delegate in Congress be and he is hereby requested to present all the facts of this case to the consideration of the Hon. the Secretary of the Treasury.

Resolved, That all motions and resolutions, joint or otherwise, of the House, and all the correspondence before the House relative to the question of printing, be printed in pamphlet form, and fifty copies printed for the use of this House, and ten copies thereof sent to our Delegate in Congress.

Resolutions read first time.

On motion to suspend the rules, the ayes and noes were demanded, resulting as follows:

Those who voted in the affirmative are—

Messrs. Clark, Clymer, Ford, Grenell, McLane, Ruddell, Rowe, Sexton, Struve, Urquhart, Weeks and Mr. Speaker—12.

Those who voted in the negative are—

Messrs. Andrews, Briggs, Buzby, Dray, Doane, Downey, Hathaway, Miller of Kitsap, Morgan, McCaw, McAuliff, Smith and Tripp—13.

So the motion to suspend the rules was lost.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 20, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage by the Council of the following:

H. B. No. 100—An act to provide for holding a special term of the Supreme Court of the Territory of Washington, with amendments.

Also that the President has signed the following:

C. J. R. No. 9—Relative to paying Chas. A. White for services in enrolling bills, memorials, resolutions, &c., during the present session.

N. S. PORTER,
Chief Clerk.

House bill 100—An act providing for the holding of a special term of the Supreme Court of Washington Territory, was taken up with Council amendments.

On motion of Mr. Miller of Kitsap,

The House concurred in Council amendments to the bill.

On motion of Mr. Sexton,

H. B. No. 63—An act in relation to the district courts in the first judicial district, was taken up.

Mr. Sexton moved to amend.

Motion carried.

Bill read third time, passed and title agreed to.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 45—An act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens.

JAMES URQUHART,
Chairman.

The Speaker announced that he was about to sign the following:

Council bill 31—An act repealing an act entitled "an act incorporating the Dalles Portage company," passed December 19, 1859.

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District.

C. B. No. 34—An act relating to public roads in the county of Clarke.

Council bill 36—An act for the relief of John M. Murphy.

C. B. No. 37—An act for the relief of Richard Lane.

C. J. M. No. 3—Relative to an appropriation for the codification and re-publication of the laws of this Territory.

C. J. R. No. 8—Relative to adjourning *sine die*.

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington.

On motion of Mr. McAuliff,

Leave of absence was granted to Messrs. McCaw, Downey, Clymer, Miller of Kitsap, Morgan, Buzby, Briggs, Rowe and Weeks.

On motion of Mr. McAuliff,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 22, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Clark, Doane, Dray, Ford, Hathaway, McLane, McAuliff, Ruddell, Rowe, Sexton, Smith, Struve, Tripp and Urquhart.

Absent—Messrs. Briggs, Buzby, Clymer, Downey, Grenell, Lloyd, Lee, Miller of Kitsap, Miller of Thurston, Mix, Morgan, McCaw, Vansickle and Weeks.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Message from the Governor announcing his approval of the following bills:

H. B. No. 86—An act for the relief of William Rickering, Governor of Washington Territory.

H. B. No. 72—An act to locate and re-locate a road from the mouth of Lake river, in Clark county, to the upper line of W. H. Dillon's donation claim.

H. B. No. 12—An act for the incorporation of colleges, seminaries, churches, lyceums, libraries, and other societies for benevolent, temperance, charitable and scientific purposes.

H. B. No. 83—An act providing for the appointment of inspectors of the St. John's Asylum and to prescribe their duties.

H. B. No. 96—An act to assess and collect a road tax in Thurston county.

H. B. No. 41—An act for the protection of sheep and wool growers.

H. B. No. 70—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

H. B. No. 74—An act concering certain duties of sheriffs,

H. B. No. 93—An act to incorporate the Grand Mound Union Cemetery Association.

H. B. No. 92—An act to provide for the election of county assessor in Lewis county.

H. B. No. 16—An act to repeal an act entitled "an act to provide for the election of county supervisors and defining their duties, except in the county of Jefferson."

H. B. No. 26—An act to authorize I. S. McFarland, Henry Marlin, their associates, heirs and assigns, to build a bridge across the Columbia river.

H. B. No. 89—An act to authorize the voters of school district No. 2, Lewis county, to levy a tax to build a school house.

H. B. No. 94—An act authorizing George E. Allingham to build a wharf at Port Angeles.

H. B. No. 77—An act to amend an act entitled "an act regulating fees and costs in the counties of Pierce, Thurston, Lewis, Jefferson and Walla-Walla."

H. B. No. 60—An act to apportion the representation of Washington Territory in the Legislative Assembly.

H. B. No. 111—An act to incorporate the Similkameen Quartz Mining Company.

H. B. No. 75—An act to enable counties to obtain a registry of outstanding county orders when said registry is lost.

H. B. No. 54—An act amending an act entitled "an act relating to justices of the peace and their practice and jurisdiction," passed January 23, 1863.

H. B. No. 64—An act for the better observance of Sunday.

H. B. No. 96—An act supplementary to an act to regulate suits for divorce and alimony, passed January 27, 1864, and to revive and renew an act passed January 18, 1863.

H. B. No. 106—An act requiring the Territorial treasurer to submit an estimate of the probable expenses of the Territory.

H. B. No. 48—An act for the regulation of the Telegraph and to secure secrecy and fidelity in the transmission of telegraphic messages.

H. B. No. 49—An act to authorize S. W. Beal, S. W. Brown, H. L. Caples and their associates to survey, cut and construct ditches or canals for mining purposes.

Mr. Struve moved to take from the table

C. B. No. 38—An act for the relief of C. C. Hewitt.

Motion carried.

On motion of Mr. Struve,

The bill was read third time.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 22, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives that the President has signed the following bills, &c:

C. B. No. 11—An act to provide for the formation of corporation for certain purposes.

C. B. No. 8—An act relating to elections and the mode of supplying vacancies.

H. B. No. 45—An act to regulate fees and costs of certain officers in the county of Kitsap.

Also the passage of

H. B. No. 63—An act in relation to the holding of courts in the first judicial district, with amendments.

N. S. PORTER,
Chief Clerk.

The Speaker announced he was about to sign

C. B. No. 8—An act relating to elections and the mode of supplying vacancies.

C. B. No. 11—An ac to provide for the formation of corporations for certain purposes,

Mr. McLane moved a call of the House.

Motion carried.

The Sergeant-at-arms was dispatched for absent members.

There being no quorum present, the House adjourned until 10 o'clock to-morrow.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 23, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Clark, Doane, Dray, Ford, Hathaway, Miller of Thurston, McAuliff, Ruddell, Rowe, Sexton, Struve, Smith, Tripp, Urquhart, Weeks and Mr. Speaker.

Absent—Messrs. Buzby, Briggs, Downey, Clymer, Grenell, McCaw, McLane, Morgan, Miller of Kitsap, Mix, Lloyd, Lee, and Vansyckle.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Ford,

H. B. No. 63—An act in relation to the holding of courts in the first judicial district, as amended by the Council, was taken from the table.

On motion of Mr. Sexton,

The House concurred in Council amendments to the bill.

Mr. Struve, of Clarke, introduced the following resolution:

Resolved, That the thanks of this House are due to the Hon. Edward Eldridge for the honest, able and efficient manner in which he has presided as Speaker over the deliberations of the House during the present session.

Motion put by the clerk and resolution unanimously adopted.

On motion of Mr. Hathaway,

A vote of thanks was given to the clerks and other officers for the faithful and impartial manner they had performed their several duties.

Mr. Urquhart, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 95—An act in relation to removing obstructions to roads.

H. B. No. 85—An act appropriating money for the location, construction and repairing of certain roads.

H. B. No. 98—An act prescribing certain duties of the Territorial auditor.

H. B. No. 76—An act to assess and collect a road tax in Thurston county.

H. B. No. 99—An act appointing officers for the county of Yakima, W. T.

H. B. No. 80—An act to provide for the assessing and collecting Territorial and school revenue.

H. B. No. 104—An act to incorporate the Chambers' Prairie Cemetery Association.

House bill 100—An act providing for the holding of a special term of the Supreme Court of Washington Terrritory.

H. B. No. 101—An act conferring certain powers on the county commissioners' courts of Cowlitz county.

H. B. No. —An act to authorize John Shaw and A. Rollis and their associates to establish a ferry on the Columbia river.

JAMES URQUHART,
Chairman.

On motion of Mr. Clark,

The House took a recess of thirty minutes.

House re-assembled.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 23, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the introduction and passage by the Council of the following:

C. J. R. No. 10—Relative to adjourning *sine die*.

N. S. PORTER,
Chief Clerk.

Mr. Urquhart, chairman of committee on Enrolled Bills, submitteed the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared and find correctly enrolled the following:

H. B. No. 63—An act in relation to district courts in the first judicial district.

JAMES URQUHART,
Chairman.

On motion of Mr. Dray,

The clerk was instructed to report all finished business to the Council.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 23, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House that the President has signed

H. B. No. 63—An act in relation to holding courts in the third judicial district.

H. B. No. 95—An act in relation to removing obstructions to roads,

H. B. No. 98—An act in relation to the Territorial auditor.

H. B. No. 76—An act to assess and collect a road tax in Thurston county, W. T.

H. B. No. 104—An act to incorporate the Chambers' Prairie Cemetery Association,

H. B. 90—An act to authorize John Shaw and A. Rollis and their assosciates or assigns to establish a ferry on the Columbia river.

H. B. No. 99—An act defining the boundaries of Yakima county and appointing officers of said county,

H. B. No. 85—An act appropriating money to aid in the repair and construction of certain roads.

H. B. No. 100—An act to provide for holding a special term of the Supreme Court of the Territory of Washington.

H. B. No. 101—An act conferring certain powers on county commissioners' court in Cowlitz county.

C. J. R. No. 10—Relative to adjourning *sine die.*

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The Speaker announced that he was about to sign the following:

C. J. R. No. 9—Relative to paying Chas. A. White for services in enrolling bills, memorials, resolutions, &c., during the present session.

H. B. No. 45—An act to regulate fees and costs of certain officers in the county of Kitsap.

H. B. No. 95—An act in relation to removing obstructions to roads.

H. B. No. 85—An act appropriating money to aid in the location, construction and repair of certain roads.

H. B. No. 80—An act to provide for the assessing and collecting of Territorial and school revenue.

C. J. M. No. 2—Relative to the election or appointment of Federal officers in the Territory of Washington.

C. J. M. No. 3—Relative to an appropriation for the codification and re-publication of the laws of this Territory.

Message from the Governor announcing his approval of the following bills:

C. B. No. 33—An act defining the boundaries of Mount Rainier Mining District.

C. B. No. 34—An act relating to public roads in the county of Clarke.

Council bill 36—An act for the relief of John M. Murphy.

C. B. No. 37—An act for the relief of Richard Lane.

Council bill 31—An act repealing an act entitled "an act incorporating the Dalles Portage company," passed December 19, 1859.

C. B. No. 8—An act relating to elections and the mode of supplying vacancies.

C. B. No. 11—An ac to provide for the formation of corporations for certain purposes.

H. B. No. 45—An act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens.

On motion of Mr. Struve,

The House adjourned.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 24, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Mr. Sexton.

There being no quorum present, the House stood adjourned until to-morrow at 10 o'clock.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 25, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Doane, Rowe and Sexton.

Communication from the Governor announcing his approval of sundry bills.

There being no quorum present, the House stood adjourned till 10 o'clock to-morrow.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 26, 1866.

House met pursuant to adjournment.

There being no quorum present, the House stood adjourned until to-morrow at 10 o'clock.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
January 27, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Andrews, Ford, Ruddell, Rowe, Sexton, Smith and Weeks.

Communication from the Governor announcing the signing of sundry bills.

There being no quorum present, the House stood adjourned until Monday, January 29, 1866.

L. D. DURGIN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 29, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

There being no quorum present, pursuant to a joint resolution passed both Houses, the House stood adjourned *sine die*.

L. D. DURGIN,
Chief Clerk.

I hereby certify the foregoing to be a true record of the proceedings of the Thirteenth Regular Session of the Legislative Assembly of the Territory of Washington, on the part of the House of Representatives, for the years 1865–6.

L. D. DURGIN,
Chief Clerk.